Second Series, Vol. XXXII, No.10

Friday, August 14, 1959
Sravana 23, 1881 (Saka)

LOK SABHA DEBATES

Second Series

Volume XXXII, 1959/1881 (Saka)

[*August 3 to 14, 1959/Sravana 12 to 23, 1881 (Saka)*]

EIGHTH SESSION, 1959/1881 (Saka)

(*Vol. XXXII contains Nos. 1 to 10*)

LOK SABHA SECRETARIAT
NEW DELHI

163 LSD—9

CONTENTS

[SECOND SERIES, VOL. XXXII, AUGUST 3 TO 14, 1959/SRAVANA 12 TO 23, 1881 (SAKA)]

COLUMNS

No. 1.—Monday, August 3, 1959 Sravana 12, 1881 (Saka)—

Member Sworn . . . . . .

Oral Answers to Questions—

Starred Questions Nos. 1 to 3, 45, 4, 5, 7 to 12, 43 and 13 to 15. 1—39

Written Answers to Questions—

Starred Questions Nos. 6, 16 to 42, 44, 46, 47 . . . . . 40—61

Unstarred Questions Nos. 1 to 47 and 48 to 75 . . . . . 62—107

Obituary References 107

Motions for Adjournment—

1. Kerala . . . . . 108—17

2. Supply of sugar . . . . . 117—21

Papers laid on the Table . . . . . 121—36, 149

President's Assent to Bills 136

Parliamentry Committees—Summary of work 137

Reports of Joint Committee on :

(1) Banking Companies (Amendment) Bill . . . 137

(2) State Bank of India (Subsidiary Banks) Bill 137

(3) State Bank of India (Amendment) Bill . . 137

Evidence on Bills laid on the Table . . 137-38

Correction of Answer to Starred Question No. 1945 138—42

Statement Re . Indo-Pakistan Canal Waters Dispute . . 138—42

Election to Committee—

Committee on Offices of Profit . 142—46

Extension of Time for Presentation of Reports of Joint Committees on :

(1) Companies (Amendment) Bill . 146-47

(2) Arms Bill 147

Bills introduced :—

(1) Rajasthan and Madhya Pradesh (Transfer of Territories) Bill 148

(2) Wakf (Amendment) Bill . . 148

(3) Public Wakfs (Extension of Limitation) Bill . 149

Road Transport Corporations (Amendment) Bill . 149—226

Motion to consider . . . 149—226

Clauses 1 to 13 . . . 226

Motion to pass 226

Employment Exchanges (Compulsory Notification of Vacancies) Bill—

Motion to consider . . . . . 226—59

Business Advisory Committee—

Thirty-ninth Report . . 260

Daily Digest . . 261—74

No. 2.—Tuesday, the 4th August, 1959/13th Sravana, 1881 (Saka)—

Oral Answers to Questions—

Starred Questions Nos. 48 to 60, 62, 63 and 86 275—313

Written Answers to Questions—

Starred Questions Nos. 61, 64 to 85, 87 to 103 . . . . 313—40

	Columns
Unstarred Questions Nos. 76 to 158	340—88
Correction of Answers to Questions	388—90
Papers laid on the Table	389—96
Correction of Answer to Starred Question No. 1770	396
Statement re. Consultative Committees for Zonal Railways	397—400
Business Advisory Committee—	
Thirty-ninth Report	400—04
Employment Exchanges (Compulsory Notification of Vacancies) Bill	404—53
Motion to consider	404—53
Clauses 2 to 10 and 1	448—53
Motion to pass	453
Indian Electricity (Amendment) Bill—	
Motion to consider, as reported by Joint Committee	453—518
Daily Digest	519—32
No 3.—Wednesday, August 5, 1959/Sravana 14, 1881 (Saka)—	
Oral Answers to Questions—	
Starred Questions Nos 104 to 109 and 111 to 120	533—74
Written Answers to Questions—	
Starred Questions Nos 121 to 154	574—99
Unstarred Questions Nos 159 to 169, 171 to 248 and 250 to 257	599—660
Re Motion for Adjournment	660—73
Papers laid on the Table	673—79
Opinions on Bill	680
Statement Re Crash of Dakota of Kalinga Airlines	680—82
Committee on Private Members' Bills and Resolutions—Forty-sixth Report	683
Correction of answer to starred question No 1193	683
Indian Electricity (Amendment) Bill	683—768
Motion to consider, as reported by Joint Committee	683—737
Clauses 2 to 41 and 1	738—68
Motion to pass	768
Dowry Prohibition Bill—	
Motion to refer to Joint Committee	768—802
Half-an-hour Discussion re Bolani Ores Private Ltd	802—18
Daily Digest	819—30
No 4—Thursday, August 6, 1959 Sravana 15, 1881 (Saka)—	
Oral Answers to Questions—	
Starred Questions Nos 155, 156, 158 to 165, 192 and 166 to 170	831—69
Written Answers to Questions—	
Starred Questions Nos 157, 171 to 191 and 193 to 200	869—85
Unstarred Questions Nos 258 to 336	885—930
Motion for Adjournment—	
Indian Traders in Tibet	930—34
Re Motion of Privilege	934—36
Papers laid on the Table	936—3
Calling Attention to Matter of Urgent Public Importance—	
ndo-Pakistan financial talks	937—40
International Monetary Fund and Bank (Amendment) Bill—	
Introduced	940

	COLUMNS
Dowry Prohibition Bill–	
Motion to refer to Joint Committee	940—1021
Motion *re* : Report of the Life Insurance Corporation of India	1021—72
Daily Digest	1072—80
No. 5.– Friday, August 7, 1959/Sravana 16, 1881 (Saka) -	
Oral Answers to Questions–	
Starred Questions Nos. 201 to 205 and 207 to 219	1081—1119
Written Answers to Questions—	
Starred Questions Nos. 220 to 240	1119—31
Unstarred Questions Nos. 337 to 421	1131—87
Motions for Adjournment—	
1. Arrest of Scheduled Castes and Scheduled Tribes persons in West Khandesh	1187—89
2. Situation in Pondicherry	1189—93
***Re*: Motion of Privilege**	1193—1227
Papers laid on the Table	1128—30
Business of the House	1230-31
Oil and Natural Gas Commission Bill – Introduced	1231
Pharmacy (Amendment) Bill–	
Motion to consider Rajya Sabha Amendments	1231—62
Public Wakfs (Extension of Limitation) Bill–	
Motion to consider	1262–63
Clauses 1 to 4	1263
Motion to pass	1263
Committee on Private Members' Bills and Resolutions—	
Forty-sixth Report	1264–65
Resolution *re*: Inclusion of English in the Eighth Schedule of the Constitution– Withdrawn	1266—1332
Resolution *re*: Nationalisation of Banks	1333–34
Daily Digest	1335—42
No. 6 —Monday, August 10, 1959 Sravana 19, 1881 (Saka)—	
Oral Answers to Questions—	
Starred Questions Nos. 241, 242, 244 to 250, 252 to 254 and 256 to 258	1343—79
Written Answers to Questions—	
Starred Questions Nos. 243, 255, 259 to 285	1379—97
Unstarred Questions Nos 422 to 448 and 450 to 514	1397—1458
Papers laid on the Table	1459—63
Arms Bill—	
(i) Report of Joint Committee	1464
(ii) Evidence tendered before Joint Committee	1464
Statement *re*: Durgapur Steel Plant	1464—66
Statement *re*: Situation in Pondicherry	1466–67
Election to Committee—	
Central Advisory Committee for National Cadet Corps	1467–68
Business of the House	1468
Motion *re*: Report of Road Transport Reorganisation Committee	1469—1604
Business Advisory Committee—	
Fortieth Report	1605–06
Daily Digest	1607—16

No. 7.—Tuesday, August 11, 1959/Sravana 20, 1881 (Saka)—
Oral Answers to Questions—
Starred Questions Nos. 286-297, 300, 301 and 304 . . . . . 1617—56
Written Answers to Questions—
Starred Questions Nos. 298, 299, 302, 303 and 305 to 333 . . . 1656—75
Unstarred Questions Nos. 515 to 596, 598 and 599 . . . . . 1675—1720
Motion for Adjournment—
Flood havoc in Howrah and Hooghly districts . . . . . 1720—22
Papers laid on the Table 1722-23
Release of a Member 1723-24
Petition *Re* : Welfare of Scheduled Castes and Scheduled Tribes . . . 1724
Calling Attention to Matter of Urgent Public Importance—
Indian Nationals in Tibet . . . . . 1724—27
Business of the House 1727-28
Business Advisory Committee —
Fortieth Report 1728
Wakf (Amendment) Bill . . . . . 1729—50
Motion to consider— . . . . . *1729—47*
Clauses 2 to 4 and 1 . . . . . 1748—50
Motion to pass . . . . . 17[illegible]
Rajasthan and Madhya Pradesh (Transfer of Territories) Bill— 1750—87
Motion to consider— . . . . . 1750—86
Clauses 2 to 17 and 1 and First and Second Schedules 1787
Motion to pass 1787
State Bank of India (Amendment) Bill— 1787—1805
Motion to consider as reported by Joint Committee . . . . . 1787—1804
Clauses 2 to 10 and 1 1804
Motion to pass 1805
State Bank of India (Subsidiary Banks) Bill—
Motion to consider as reported by Joint Committee . . . . . 1805—50
Daily Digest . . . . . 1851—58

No. 8.—Wednesday, August 12, 1959/Sravana 21, 1881 (Saka)—
Oral Answers to Questions—
Starred Questions Nos. 334 to 345, 347, 349 and 351 . . . . . 1859—97
Short Notice Question No. 1 . . . . . 1897—1900
Written Answers to Questions—
Starred Questions Nos. 346, 348, 350 and 352 to 380 . . . . . 1900—19
Unstarred Questions Nos. 600 to 707 . . . . . 1919—82
Motions for Adjournment—
1. Price of rice in West Bengal . . . . . 1982—84
2. Baton-charging by Ceylonese Police . . . . . 1984—93
Papers laid on the Table 1994-95
Andhra Pradesh and Madras (Alteration of Boundaries) Bill—Introduced . 1995
State Bank of India (Subsidiary Banks) Bill . . . . . 1995—2027
Motion to consider, as reported by Joint Committee . . . . . 1995—2023
Clauses 2 to 65 and 1 . . . . . 2005—23
Motion to pass . . . . . 2023—27
Banking Companies (Amendment) Bill . . . . . 2027—98
Motion to consider, as reported by Joint Committee . . . . . 2027—91
Clauses 2 to 36 and 1 . . . . . 2091—94
Motion to pass . . . . . 2094—98

Oil and Natural Gas Commission Bill—
Motion to consider . . . . . 2098—2114
Daily Digest . . . . . 2115—22

No. 9.—Thursday, August 13, 1959/Sravana 22, 1881 (Saka)—

Oral Answers to Questions—
Starred Questions Nos. 381 to 387, 389 to 393, 395 and 396 . . . . . 2123—62

Written Answers to Questions—
Starred Questions Nos. 388, 394 and 397 to 433 . . . . . 2162—85
Unstarred Questions Nos. 708 to 804 . . . . . 2185—2242

Motions for Adjournment—
(1) Reported Chinese Statement *re*: liberation of Ladakh, Sikkim and Bhutan . 2243—47
(2) Alleged contamination of imported wheat . . . . . 2247—49
Papers laid on the Table . . . . . 2249—50
Demands for Excess Grants 2250
Petition Re. Andhra Pradesh and Madras (Alteration of Boundaries) Bill . 2251
Oil and Natural Gas Commission Bill—
Motion to consider . . . . . 2251—2319
Motion *Re* : Report of National Coal Development Corporation . . . 2319—70
Daily Digest . . . . . 2371—78

No. 10.—Friday, August 14, 1959/Sravana 23, 1881 (Saka)—

Oral Answers to Questions—
Starred Questions Nos. 434 to 439, 442 to 446, 448 to 450 and 452 to 454 . 2379—2416

Written Answers to Quesions—
Starred Questions Nos. 440, 441, 447, 451 and 455 to 490 . . . . 2416—40
Unstarred Questions Nos. 805 to 882 and 884 to 889 . . . . . 2441—84

Motion for Adjournment—
Reported Statement by the Prime Minister of Ceylon *re* : baton-charging of certain Indian nationals by Ceylonese Police . . . . . 2484—87
Papers laid on the Table . . . . . 2487—88
Business of the House 2489
Statement *re*: accident to Kalka-Delhi-Howrah Mail 2490
Calling Attention to Matter of Urgent Public Importance—
Indian Army's assistance during Kashmir floods . . . 2491—95
Motion *re*: Rise in Sugar Prices . . . . . 2496—2584

Bills introduced—
(1) The Backward Communities (Religious Protection) Bill, 1959, by Shri Prakash Vir Shastri 2585
(2) The Displaced Persons (Compensation and Rehabilitation) Amendment Bill, 1959 (Amendment of section 24) by Shri Ajit Singh Sarhadi 2585—86
(3) The Representation of the People (Amendment) Bill, 1959 (Amendment of sections 81, 82, 86 and 116-A and omission of sections 88 and 89) by Shri Ajit Singh Sarhadi 2586
(4) The Code of Criminal Procedure (Amendment) Bill, 1959 (Amendment of section 488) by Shri Ajit Singh Sarhadi 2586
(5) The Undue Delay and Presumption of Corruption Bill, 1959 by Shri Jhulan Sinha 2587

(6) The Catholic Church Premises and Ecclesiastic Order (Restriction of Political Activity) Bill, 1959 by Shri T. B. Vittal Rao 2587

(7) The Representation of the People (Amendment) Bill, 1959 (Insertion of new section 7A) by Shri T. B. Vittal Rao 2588

Sikh Gurudwaras Bill—

Motion for extension of time for eliciting opinion 2588-89

Equal Remuneration Bill—

Motion to circulate . . . . . 2589—99

Code of Criminal Procedure (Amendment) Bill (Omission of sections 107, 109 and 110 and amendment of section 161) by Shri Jagdish Awasthi

Motion to consider— . . . . . 2599—2658

Daily Digest . . . . . 2659—66

Consolidated Contents [August 3 to 14, 1959/Sravana 12 to 23, 1881 (Saka)] . i—vi

---

N.B.—The sign + above a name of a Member on Questions, which were orally answered, indicates that the Question was actually asked on the floor of the House by that Member.

LOK SABHA

Friday, August 14, 1959/Sravana 23, 1881 (*Saka*)

The Lok Sabha met at Eleven of the Clock

[MR SPEAKER *in the Chair*]

ORAL ANSWERS TO QUESTIONS

Export Trade with West Asian Countries

+

*434. { Shri S C. Samanta
Shri Subodh Hansda.

Will the Minister of Commerce and Industry be pleased to state

(a) what steps have been taken to expand India's export trade with her neighbouring West Asian Countries,

(b) whether it is a fact that there is a great demand of many consumer goods in those Countries,

(c) whether any survey has been made as to the items for which business possibilities exist, and

(d) whether Government propose to send trade delegations to those countries or encourage individual manufacturers to tour those Countries?

The Deputy Minister of Commerce and Industry (Shri Satish Chandra). (a), (c) and (d) A statement is placed on the Table of the House [*See* Appendix II, annexure No 41]

(b) Yes, Sir

Shri S C Samanta: May I know whether bicycles of green colour are in great demand in Iran and, if so, whether that has been met?

Shri Satish Chandra: I cannot say exactly about the colour, but the export of bicycles has slightly increased in 1958 as compared to 1957

Shri S C Samanta: Is it not a fact that Iraq demands goods which are latest in ideas and designs, and, if so, whether this fact has been taken note of by the Government?

Shri Satish Chandra: Every country requires goods which are latest in design, there is nothing peculiar about Iraq in this matter

Shri Subodh Hansda: May I know what are the most important consumer goods that have a great demand in those countries?

Shri Satish Chandra: Cotton textiles, jute manufactures and tea Some engineering goods are slowly finding a market in those countries Also spices, some quantity of sugar etc

Shri S. C. Samanta: May I know whether the delegations that visited these places hinted about the packing and standardisation?

Shri Satish Chandra. There has been no particular complaint about packing and standardisation from Asian countries

Shri Tangamani: May I know whether the Sports Goods Export Promotion Council is sending its delegation, if so which countries they will be visiting?

Shri Satish Chandra: The Sports Goods Export Promotion Council is considering the question of sending a delegation The proposal is still under consideration

Shri P. C Borooah: May I know whether the export of tea to Iran has been, of late, on the decline?

Shri Satish Chandra: The export of tea fluctuates It has increased in the

case of Iraq There has been some decline in the case of Iran, but this happens from season to season. There is no abnormal decline.

Former French Possessions

+

*435 { **Shri Bibhuti Mishra:**
Shri D. C. Sharma:
Shri Radha Raman:
Shri Ajit Singh Sarhadi:
Shri H N. Mukerjee:

Will the **Prime Minister** be pleased to refer to the reply given to Starred Question No. 25 on the 10th February, 1959 and state the latest position regarding the *de jure* transfer of former French Possessions in India?

The Deputy Minister of External Affairs (Shrimati Lakshmi Menon): Although we had hoped that the Treaty of Cession would be approved by the French Assembly early this year, the present indications are that no firm date has yet been fixed for discussion of this problem in the French Assembly We have raised this question with the French authorities on all suitable occasions and shall continue to do so

श्री विभूति मिश्र : बहुत दिनों से यह मामला चल रहा है । मैं जानना चाहता हूं कि क्या कठिनाई हो रही है जिस के कारण यह मामला डि जूरे तय नहीं हो रहा है ।

प्रधान मन्त्री तथा वैदेशिक कार्य मंत्री (श्री जवाहरलाल नेहरू) : कठिनाई हमारी तरफ से तो है नहीं । कठिनाई तो दूसरी तरफ से है । अब उस का बताना हमारे लिये कठिन है । कुछ अन्दाजा हो सकता है । यह शायद इस लिये है कि वहां अदला बदली बहुत होती रही है ।

श्री विभूति मिश्र : मैं जानना चाहता हूं कि जब तक डि जूरे मामला तय नहीं होता तब तक उन फ्रांसीसी जगहों को, जो हमारे कब्जे में हैं, डेवेलप करने में कोई कठिनाई होती है ?

श्री जवाहरलाल नेहरू : जी नहीं, उस में तो कोई रुकावट नहीं है । लेकिन कायदे कानून जो वहां के हैं वह पुराने फ्रांसीसी कायदे कानून हैं । कुछ दिक्कतें उस में होती हैं और जाहिर है, कानूनन, पांडिचेरी वगैरह हिन्दुस्तान के हिस्से नहीं हैं, उन का कोई प्रतिनिधि इस माने में लोक सभा में नहीं है । नहीं तो कोई जरिया होता उस के आने का ।

Shrimati Renu Chakravartty: Sir, until the *de jure* transfer takes place, there is a peculiar situation obtaining in the French possessions like Pondicherry It is not the Supreme Court of India where we can file an appeal, it is the Supreme Court of France May I know how much longer we have to continue like this? Can something be done about this?

Shri Jawaharlal Nehru: I am afraid I cannot give an answer because, naturally, a matter of this kind cannot be ended by unilateral action, at least we prefer not to take such action Throughout these past years we have been told from time to time that the *de jure* recognition is coming within a few months, but unfortunately it has not come

Shrimati Renu Chakravartty: In what way, Sir, do we propose to have discussions with the French Government for removing some of the anomalies which exist even today, both regarding the judiciary as well as other aspects of the law? Are we proposing to discuss this matter, if the actual *de jure* transfer is not itself passed by France?

Shri Jawaharlal Nehru I have not understood the question Anomalies, no doubt, must exist there Minor anomalies can certainly be removed by talks, but the basic thing which derives from the fact of the *de jure* transfer not having taken place, I suppose, cannot be removed till the basic cause is removed

Shri Supakar: May I know whether representation of Pondicherry and other French possessions in this

House shall await the *de jure* transfer of these possessions to India?

Shri Jawaharlal Nehru: Naturally. This House represents the Union of India. If a territory is not legally and constitutionally part of the Union of India, then it cannot be represented here

Shri P. C. Borooah: May I know whether after the *de jure* transfer these territories will each form a separate administrative unit directly under the Central Government, or will they be amalgamated with any other State?

Shri Jawaharlal Nehru: We have repeatedly stated that in the main these territories will remain a separate unit But that is always for the people to decide. We will not make any change without the active consent of the people concerned; no change will be thrust upon them They will be treated as a separate unit I cannot precisely say about the little units like Mahe and others because they are very small, but the major units like Pondicherry etc, we propose to treat as a separate unit

सेठ गोविन्द दास जो हमारी तीसरी पचवर्षीय योजना बन रही है, उस मे इन स्थलो के विकास का ध्यान रख कर क्या इन के लिये भी कोई इस तरह की योजना बनाई जायेगी जिस से वहा की परिस्थितियो के अनुसार उन का भी विकास हो सके ?

श्री जवाहरलाल नेहरू : जी हा, वह तो हमारी पिछली पचवर्षीय योजना मे भी था, और वहा काफी रुपया खर्च किया गया है। वहां के लिये कई विकास योजनाये बनी हैं बन रही हैं और आइन्दा भी बनेगी।

Shri Jaochim Alva: May I know how much of this postponement is due to our active identification of the Algerian cause in the Africa-Asia Group of the UNO?

Shri Jawaharlal Nehru: I am not aware of that; perhaps Shri Jaochim Alva knows

Shri Narayanankutty Menon: May I know whether the Government of India propose to give any firm date to the French Government for the final settlement of this issue?

Shri Jawaharlal Nehru: If the hon Member suggests that we should tell them that unless they do something something else would be done by us, no, we do not propose to do that.

Central Training Institute for Instructors

*436 **Shri R. C Majhi:**
Shrimati Ila Palchoudhuri:
Shri Subodh Hansda:
Shri Ram Krishan Gupta:
Shri Ajit Singh Sarhadi:

Will the Minister of **Labour and Employment** be pleased to state:

(a) whether it is a fact that Government of India recently approached the United Nations Special Fund Committee for financial assistance for establishing a Central Training Institute for Instructors,

(b) whether the United National Special Fund Committee have agreed to do so,

(c) if so, to what extent, and

(d) when are the arrangements in regard to the establishment of Institute likely to be finalised?

The Parliamentary Secretary to the Minister of Labour and Employment and Planning (Shri L N. Mishra): (a) Yes

(b) Yes

(c) 860,000 U.S dollars

(d) By the end of 1960

Shri R C Majhi: May I know how many craftsmen would be trained withm this year?

Shri L. N. Mishra: It will have a capacity to accommodate 400 persons.

Shri Ram Krishan Gupta: May I know the nature and the type of agency which will be set up for the execution of this project?

Shri L. N. Mishra: According to the constitution of this fund a specialised agency has to be appointed and in this case the I.L.O has been appointed

Shri Subodh Hansda: Is there any condition for the financial assistance that has been asked for?

Shri L. N Mishra: There is no condition There is a specialised fund and we are availing of it

Shri S M Banerjee. May I know how many instructors will be appointed and what will be the basis of their appointment?

Shri L. N. Mishra There will be 14 experts from outside and there will be many instructors from this country

Shri Snbodh Hansda. There are two other institutes functioning May I therefore know whether this assistance is also meant for the improvement of those institutes?

Shri L N Mishra This is meant for this institute only

Institute of Nuclear Research Hyderabad

\+

*437 { **Shri Ram Krishan Gupta** / **Shri D C Sharma**

Will the **Prime Minister** be pleased to refer to the reply given to Starred Question No 1487 on the 26th March 1959 and state

(a) whether the assurance from the Osmania University regarding integrating the activities of the proposed Institute of Nuclear Research, Hyderabad, has since been received, and

(b) if so, whether any assistance has been given to the Institute for setting up of Nuclear Research Institute at Hyderabad?

The Deputy Minister of External Affairs (Shrimati Lakshmi Menon): (a) The assurance from the Osmania University regarding integrating the activities of the proposed institute of Nuclear Research, Hyderabad, has not been received

(b) Does not arise

Shri Ram Krishan Gupta: May I know if any assurance has been received in this regard and whether any help will be given to that institute?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): Who should give the help and what for? May I explain, Sir? The desire of some enthusiastic persons to start an institute is not enough It is a very big thing to have an institute for nuclear research There are very few in India, apart from the major institute—doing this work and they are one or two universities like Calcutta and Bombay which do something about it The other universities cannot.

Now, if some people want to start this without adequate equipment in personnel and other things it may not lead to any successful results Therefore, the Atomic Energy Department said, if the Osmania University takes this under its wing generally and promises support, "we shall also support it" The Osmania University has not done so Therefore, it becomes not at all feasible for the Atomic Energy Department to recognise this and support it till that is done

Diplomatic relations with South Africa

\+

*438 { **Shri Harish Chandra Mathur:** / **Shri Shree Narayan Das** / **Shri Radha Raman** / **Shri D C. Sharma** / **Shri Dinesh Singh** / **Shri Hem Barua.** / **Shri S. A. Mehdi:** / **Shri Asaar**

Will the **Prime Minister** be pleased to state

(a) whether there is any possibility of the restoration of diplomatic relations between this country and South Africa,

(b) whether any approaches have been made in the matter; and

(c) if so, what progress has so far been made?

The Deputy Minister of External Affairs (Shrimati Lakshmi Menon): (a) to (c) There has been no severance of diplomatic relations between the Governments of India and the Union of South Africa; the Indian High Commission in the Union has been withdrawn but diplomatic relations continue through the High Commissioners of the two countries in the United Kingdom There is no proposal at present for reopening the Indian High Commission in the Union

Shri Harish Chandra Mathur: May I know whether any fresh approach has been made in this connection by the Government of India to the permanent representatives of the Union of South Africa at the United Nations or the High Commissioner in London and, if so, if any notes have been exchanged and what is the nature of the notes and the reaction of that Government?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): Annually this matter comes up before the United Nations and the U N General Assembly has repeatedly passed resolutions calling upon those various countries involved, the Union of South Africa, India and Pakistan, to discuss this matter Almost annually we inform the South African Government that in terms of the resolutions of the General Assembly we are prepared to do so and the Pakistan Government follows suit, but thus far their replies have not been satisfactory So nothing has been done

Shri Assar: In the absence of direct diplomatic relations with South Africa, how are we keeping ourselves in touch with our Indian nationals?

Shri Jawaharlal Nehru: Broadly speaking, we are not keeping in touch with them Naturally some news comes in various ways but not continuously or formally

सेठ गोविन्द दास : क्या यह बात सही नहीं है कि दक्षिण अफ्रीका की रंगभेद नीति दिन पर दिन और बढ़ती जाती है और ऐसी हालत में क्या इस बात का ध्यान रखा जायेगा कि जब तक इस नीति में कोई परिवर्तन न हो तब तक हमारा उनका कोई राजनैतिक सम्बन्ध न रहे ?

श्री जवाहरलाल नेहरू : यही आजकल की हालत है और कोई खास इरादा नहीं है कोई नया सम्बन्ध पैदा करने का जब तक कि कोई रास्ता साफ न हो ।

Shri Jaochim Alva: Is it realised by our Government that it is impossible to continue any kind of relationship with South Africa where three million whites kick to death ten million blacks, murder them and abduct them and do not give any kind of protection to the population? This has been reported in British papers

Mr. Speaker. The hon Member is arguing this matter He has not put a question

Shri Nath Pai. I think we do not have any trade relations as such with South Africa Are the Government aware that goods normally imported by traders of Indian origin for Nairobi are then re-exported on a very large scale to South Africa?

Shri Jawaharlal Nehru: I believe this is done to some extent To what extent, I cannot say

Shri S. M. Banerjee: May I know whether the Indians are still facing the same amount of humiliation as in the past and, if so, what steps have been taken by our Government to see that this behaviour changes?

Shri Jawaharlal Nehru: There are no Indians in South Africa

Shri S. M. Banerjee: Indian nationals

Shri Jawaharlal Nehru: There are no Indian nationals in South Africa.

Shri S. M. Banerjee: The coloured people You know better than I.

Shri Jawaharlal Nehru: They are not Indian nationals; they are not Indian citizens. There are people of Indian descent who are South African nationals. Is the hon. Member referring to them?

Shri S. M. Banerjee: Yes; they are facing humiliation. It is known to us.

Shri Jawaharlal Nehru: Quite so. But that is a matter because of which this withdrawal of our representative took place.

Shri S. M. Banerjee: Has there been any effect?

Mr. Speaker: Order, order.

Shri Joachim Alva: Just one question.

Mr. Speaker: The hon. Member put a question earlier.

Shri Joachim Alva: Please allow one question. It is an important question. Is the Government aware that the South African Government has ordered 80 armoured vehicles from Great Britain and Great Britain has supplied two squadrons to South Africa just in order to continue its process of suppression? We being members of the Commonwealth, have we conveyed our reactions to this kind of military forces being supplied from Great Britain?

Shri Jawaharlal Nehru: No, Sir. Government is not aware of all this.

Clinical Thermometer

\+

*439. **Shri Subodh Hansda:**
Shri S. C. Samanta:

Will the Minister of **Commerce and Industry** be pleased to state:

(a) whether the scheme for the manufacture of clinical thermometer in collaboration with a Japanese firm has been finalised;

(b) if so, whether the plan and estimate of the scheme have been prepared;

(c) where the proposed factory is to be established; and

(d) when it is expected to start production?

The Minister of Industry (Shri Manubhai Shah): (a) to (d). Messrs. National Instruments Limited, Calcutta, a Government of India undertaking, propose to manufacture clinical thermometers in collaboration with a Japanese firm. The terms of collaboration are under examination by the company and have also been referred to Government for scrutiny.

Shri Subodh Hansda: May I know when the terms are likely to be finalised?

Shri Manubhai Shah: I think very soon; at least in the next year the first process of production may start.

Shri Subodh Hansda: Is it not a fact that the programme for 1958-59 was to manufacture 50,000 thermometers and, if so, may I know how this target will be fulfilled?

Shri Manubhai Shah: Firstly, the application is under consideration. So, there is no question of any target here. When the programme is approved and the scheme is finalised, then we shall lay before the House the necessary targets.

Shri Subbiah Ambalam: May I know the annual requirements of clinical thermometers in India and the capacity of this plant to produce them?

Shri Manubhai Shah: The total estimated demand is about 12 lakhs. The capacity of this plant will be about six lakhs thermometers per year.

Shri S. C. Samanta: May I know from which country this import is the heaviest for clinical thermometers and whether by this collaboration with Japan we will be able to manufacture these things?

Shri Manubhai Shah: In the past in some years the Japanese imports were the heaviest and sometimes the West

German imports were the heaviest. The quality of this thermometer is also very high It has international reputation.

Tanganyika Trade Delegation

+

*442. { **Shri Pangarkar:**
Shri Raghunath Singh:

Will the Minister of Commerce and Industry be pleased to state

(a) whether it is a fact that a trade delegation from Tanganyika visited India during May, 1959 with a view to explore the possibilities for a larger market for Tankanyika cotton in India, and

(b) if so, the details and outcome of the delegation's visit to India?

The Minister of Commerce (Shri Kanungo): (a) and (b) Yes, Sir, an unofficial delegation from Tanganyika was here in May 1959, and established personal contact with cotton manufacturers cotton Associations and millowners

Shri Pangarkar: May I know the delegation has submitted any report to the Government and if so, the details thereof?

Shri Kanungo: No, Sir; it was a non-official delegation They were not required to submit any report to us

Shri Tangamani: The hon Minister has not replied to part (b) of the question, viz, what are the details and outcome of the delegation's visit to India?

Shri Kanungo: Parts (a) and (b) have been answered The outcome is that the delegation established contacts with manufacturers, cotton Associations and mill-owners

Shri Tangamani: May I know whether they have placed orders for textiles from this country as a result of the contacts?

Shri Kanungo: No, Sir, Tanganyika is a cotton-producing country Obviously the efforts of the delegation was to find prospects of sale of cotton

भारतीय सूती वस्त्रों का निर्यात

*४४३. **श्री रघुनाथ सिंह :** क्या वाणिज्य तथा उद्योग मन्त्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि कुपी १९५८ में गैर-कम्युनिस्ट देशों के सूती वस्त्र के निर्यात में १२ ८ प्रतिशत की कमी आ गई है और भारत के निर्यात में यह कमी सब से अधिक, अर्थात् ७३ प्रतिशत हुई है और

(ख) यदि हां, भारतीय सूती कपड़े के निर्यात में इस भयंकर कमी के क्या कारण हैं?

वाणिज्य तथा उद्योग उपमंत्री (श्री सतीश चन्द्र) : (क) और (ख) सदन की मेज पर एक विवरण प्रस्तुत किया जाता है। [देखिये परिशिष्ट २, अनुबन्ध संख्या ४२]

Some Hon Members: The English answer may be read

Shri Satish Chandra: (a) and (b). A statement is laid on the Table of the House

श्री रघुनाथ सिंह : मैं यह जानना चाहता हूं कि कम्युनिस्ट कंट्रीज में हमारे एक्सपोर्ट की अवस्था क्या है, और नान कम्युनिस्ट कंट्रीज में, जो कि डिमाक्रेटिक कंट्रीज कहे जाते हैं हमारे एक्सपोर्ट की अवस्था क्या है?

श्री सतीश चन्द्र : अगर माननीय सदस्य चाहें तो मैं एक स्टेटमेंट मेज पर रख दूंगा कि कहां कहां कितना एक्सपोर्ट होता है।

श्री रघुनाथ सिंह : मैं यह जानना चाहता हूं कि डिमाक्रेटिक कंट्रीज में, जो कि कम्युनिस्ट नहीं हैं, हमारे एक्सपोर्ट दिन पर दिन कम क्यों होते जा रहे हैं?

अध्यक्ष महोदय : यही सवाल है।

श्री सतीश चन्द्र : मैं माननीय सदस्य के मूल सवाल से यह समझा था कि नान कम्युनिस्ट कंट्रीज में जितना कपड़ा एक्सपोर्ट होता था

उसमें कमी क्यो होती जाती है यह उनका सवाल है न कि यह कि नानकम्युनिस्ट कंट्रीज को कितना एक्सपोर्ट होता है ।

एक्सपोर्ट गिरता जाता है उस की कई वजह है । उन मे एक वजह यह है कि बहुत से देशों में जहा अब तक कपडे की मिलें नही थी वहा कपड़े की मिलें बनती जा रही है । कुछ मुल्कों ने अपनी मिलों को तरक्की देने के लिये इम्पोर्ट रेस्ट्रिक्शन लगा दिये है । कुछ आर्टिफिशियल यार्न चले है और उन से बने कपडो की तरफ लोगो का रुझान होता जा रहा है । इन सब वजहो से एक्सपोर्ट कम होता जा रहा है ।

Shri Subbiah Ambalam: May I know whether it is a fact that the European Common Market countries have banned the import of cotton textiles from Asia and other countries and if so, to what extent our export trade is affected by this?

Shri Satish Chandra: There has been no ban so far by the E.C.M countries; I have not heard of it

Shri S. M. Banerjee: The fall in India's exports is attributed to six reasons May I know what steps have been taken by Government to overcome these difficulties and whether the difficulties have been brought to the notice of the Export Promotion Council also?

Shri Satish Chandra: The Export Promotion Council for cotton textiles is constantly engaged in finding remedies for the present state of affairs as far as exports from India are concerned. Several steps have been taken in this connection during the last few years All export duties have been abolished Import duty on cotton has been abolished. Some incentive schemes have been started in order to give concessions to the exporters of cotton cloth They are allowed to import textile chemicals, dyes and machinery against export of cloth Showrooms, exhibitions, etc. are organised in foreign countries and delegations are sent abroad. Many steps are being taken in order to arrest this decline.

Shri Vajpayee: One of the reasons given is: "Severe competition from certain countries assisted by liberal schemes of incentives". What are those countries?

Shri Satish Chandra: We have to face competition in our traditional markets from new sources of supply namely China and Pakistan

Shri Nagi Reddy: May I know whether the Government has tried to study the effects of cotton textile imports in the European countries after the establishment of the European Common Market scheme?

The Minister of Commerce and Industry (Shri Lal Bahadur Shastri): I might add that the cotton industry has faced a very difficult period during the last one or two years. I am glad to say that the industry has now overcome those difficulties The House is aware that great accumulation of cloth had taken place during the last one year or so and it is during the last two or three months that the stocks have been almost cleared The textile industry now feels that it can help in stepping up the exports also

I might add that during the last week of July and in the first week of this month, there has been some improvement and we feel there are very good prospects of getting additional orders for the export of textiles Only last evening, the Chairman of the Textile Export Promotion Council who used to take a very pessimistic view, has said that the conditions are changing rapidly and it seems that the export of textiles will step up very much during the next two months.

Shri T. B. Vittal Rao: What are the repercussions on our export trade, in view of the European Common Market?

Shri Lal Bahadur Shastri: As my colleague has explained, in fact there has been no ban. But it is true that

this scheme of European Common Market will have an adverse effect on our export; but, we are making efforts and we are discussing it in the GATT conference to overcome these difficulties.

Shrimati Renu Chakravartty: May I know whether the percentage of exports has fallen or remained stationary, so far as exports to communist countries are concerned?

Shri Satish Chandra: I require separate notice to answer that question.

श्री प्रकाश वीर शास्त्री : क्या कपड़े के निर्यात में इसलिये भी कमी होती जा रही है कि आरम्भ में जितना अच्छा कपड़ा दिखाया जाता है, सप्लाई के समय उतना अच्छा नहीं होता ?

श्री लाल बहादुर शास्त्री : मेरा खयाल है कि ऐसी शिकायत तो हम को सुनने को नहीं मिली है ।

सेठ गोविन्द दास : क्या हम कुछ नये बाजारों को प्राप्त करने का भी प्रयत्न कर रहे है, जहां अपना कपड़ा भेजा जा सके, और अगर वह प्रयत्न कर रहे है तो किन किन जगहों में ?

श्री सतीश चन्द्र : ईस्ट यूरोपियन कंट्रीज में, जिनसे हमारे बाईलेटरल ट्रेड एग्रीमेंट हुए हैं, कुछ कपड़ा जाने की व्यवस्था की गयी है। और वह हमारे लिये नये बाजार हैं ।

Export of Manganese Ore

*444. **Shri Panigrahi:** Will the Minister of **Commerce and Industry** be pleased to state

(a) whether with a view to increasing export of manganese ore, the State Trading Corporation had worked out joint selling arrangements with principal producers and traditional buyers;

(b) whether any such joint selling agreement has materialised so far, and

(c) what additional quantities of manganese ore have been sold to the traditional buyers under these arrangements?

The Deputy Minister of Commerce and Industry (Shri Satish Chandra): (a) and (b). Yes, Sir.

(c) A statement is laid on the Table of the House

STATEMENT

Export of Manganese Ore

Country	Additional quantities sold during 1958-59 under Joint Sale Programme
	Tons
France	2,000
U.K.	86,293
Germany	7,000
U.S.A.	60,857
TOTAL	1,56,150

Shri Panigrahi: May I know, whether the export policy regarding manganese ore has been deferred for three months from 1st July to October, 1959 and if so, what is the position in this respect and why the Government have delayed the export policy?

Shri Satish Chandra: The policy has been extended from 1st July to the end of August and not to October; the future policy is under consideration But all the exporters and mine-owners have been informed—a Press communique has been issued some time back—that any firm commitments entered into by them will be honoured, irrespective of the future policy

Shri Panigrahi: Besides working out this general sales arrangement with foreign buyers, may I know whether the Government also propose to work out link arrangements for promotion of manganese sale in foreign countries and, if so, what additional quan-

tities of manganese ore were sold to foreign buyers under this link arrangement?

Shri Satish Chandra: Certain barter arrangements and link deals have been finalised only recently. We have a proposal to export about 175,000 tons of manganese ore and some quantities of ferro-manganese against import of wheat from USA. Similarly, another barter arrangement has been finalized in which manganese ore will be exported to France against the import of stainless steel and the plates. Such link deals are being negotiated with other countries also

Shri Surendranath Dwivedy. May I know whether the possibilities of the State Trading Corporation taking over the entire manganese ore exports have been explored?

Shri Satish Chandra: Various proposals have been under consideration from time to time But, as I said, the future policy is under consideration, and it has not yet been finalized So, we cannot say at present as to what is going to be the future policy

Shrimati Renu Chakrvartty: Is it a fact that we have a much greater demand for ferro-manganese than for manganese ore? If so, what steps are being taken by the Government to increase the amount of ferro-manganese here?

Shri Satish Chandra: Three companies at least have been licensed to produce ferro-manganese The construction of one or two factories is going on at present and they will soon go into production We want to encourage the production of ferro-manageneses as much as possible But there is a limitation to the export of ferro-manganese There are specifications prescribing a certain percentage of phosphorus etc which stand in the way of export of unlimited quantities

Shri Panigrahi: What are the main features of the short-term export policy for manganese ore which has been recently declared by the Government of India?

Shri Satish Chandra: There has been no short-term export policy. The last year's policy has been extended for a period of two months. Since the new policy could not be finalized, it was announced some time back that the exporters could enter into fresh commitments as heretofore, irrespective of any change in the export policy in future

सेठ गोविन्द दास : अभी मंत्री जी ने यह कहा कि फेरो-मैंगानीज के निर्यात की भी एक सीमा है, पर क्या यह बात सही नहीं है कि जहां तक फेरो-मैंगानीज की मांग का सम्बन्ध है, वह अभी तक जितनी हम भेज सकते हैं, उस से कहीं अधिक है और ऐसी हालत में क्या इस बात का प्रयत्न किया जा रहा है कि फेरो-मेंगानीज की अधिक फैक्टरियां इस देश में हो सकें ?

श्री सतीश चन्द्र : अभी मैं ने अर्ज किया—माननीय सदस्य ने शायद सुना नहीं—कि फैरो-मैंगानीज की फैक्टरियां लग रही हैं। नागपुर के पास एक फैरो-मैंगानीज की फैक्टरी लग रही है, जो कुछ महीने में लग जायगी और अगर फैरो-मैंगानीज की फैक्टरीज लगाने के लिये और पार्टीज आवेंगी, उन पर गौर किया जायगा ।

Soda Ash Factory

448. { **Shri S. M. Banerjee:** / **Shri Muhammed Elias:**

Will the Minister of **Commerce and Industry** be pleased to state:

(a) whether it is a fact that the Scheme for a Soda Ash factory for West Bengal has been finally rejected by the Central Government;

(b) if so, the reasons therefor; and

(c) whether the Central Government propose to set up such a factory in any other State?

The Minister of Industry (Shri Manubhai Shah): (a) and (b). A proposal was submitted by the Durgapur Industries Board envisaging the manufacture of a number of items including soda ash in their coke oven plant at Durgapur. Manufacture of only that quantity of soda ash corresponding to the by-product ammonia liquor from their coke ovens would not lead to any economic production A larger scheme for soda ash involved cross movement of raw materials and was not therefore considered desirable at Durgapur

(c) No, Sir

Shri S. M. Banerjee: Since the proposal has been dropped for some reasons, may I know whether soda ash factories are being installed in other States? May I also know whether a factory is being established in U P ?

Shri Manubhai Shah. Yes, Sir One factory has already been established in U P and a recent scheme for expansion in one factory in U P has also been approved

Shri Muhammed Elias The argument which the hon Minister has given for not giving a permit for establishing a soda ash factory in West Bengal is not at all convincing More than 60 per cent of the soda ash is consumed by the glass and paper industries in West Bengal

Mr. Speaker: Order, order The hon Member should listen to me first It is not competent for him to argue this matter He can only ask for information He is not a Minister We do not want his facts

Shri Muhammed Elias: I am asking my question

Mr. Speaker: Let him put the question straight

Shri Muhammed Elias: In view of the necessity to have this industry in West Bengal for its paper and glass industry, which will consume more than 60 per cent of the soda ash to be produced in this factory at a cost of Rs 1 crore, will the Government reconsider this question and give permission to this factory?

Shri Manubhai Shah: If I may clear the doubts of the hon Member, with 15 tons of production per day it would be the least economic and highly unprofitable industry that could exist anywhere The minimum economic unit in soda ash is about 100 to 200 tons per day Technically and economically also it is not profitable to use the bi-product of ammonia for the manufacture of soda ash Therefore, after many discussions, the West Bengal Government was persuaded to drop such a scheme and to concentrate on some more profitable lines Regarding the other part of the question of the hon M mber that there is consumption of soda ash in West Bengal, even though the figures are not correct it is true that the consumption of soda ash is all over India including West Bengal and so we have to establish all such heavy industries only at places where they can be produce cheaply and economically

Shri S M. Banerjee: What amount has been sanctioned by the Central Government for this particular factory in U P ?

Shri Manubhai Shah: It is a private factory and no amounts are being sanctioned by us for private factories excepting giving them permission to expand from their own resources. Of course, resources are available to everybody from the national credit institutions

Shri S. M. Banerjee: My question was different My information is that this particular factory has asked for some loan from the Government. I want to know whether the Government will grant some loan to it

Shri Manubhai Shah: As far as loans are concerned, it is a continuous process. In the past, this particular firm has also been granted loans. If they go to the IFC, it will consider all such requests on merit and grant

loans We have allowed them to develop their production.

Shri Muhammed Elias: May I know whether the attention of the Government has been drawn to a news item which appeared in *Jugantar* of 21st of May, alleging that the Government of India are adopting a step-motherly attitude towards the West Bengal Government and so though they have submitted many schemes a large number of schemes have been rejected without any discussion?

Shri Manubhai Shah: So many newspaper comments appear from different parts of India But I am proud to say that West Bengal is one of the most industrialised States in this country, as compared to the industries elsewhere It does not mean that as compared to other countries in the world, West Bengal is better off But it is fortunate in having quite a number of industries And we are supporting all the legitimate industries in West Bengal for which proposals are received both from the private sector and the public sector

श्री सरजू पाण्डे : यू०पी० के लोगों को खास तौर से शिकायत है कि केन्द्रीय सरकार उत्तर प्रदेश में उसी तरह उद्योग-धंधे नहीं चलाती है, जिस तरह कि वह अन्य राज्य में चलाती है । पिछले दिनों हमारे चीफ मंत्री ने इस सम्बन्ध में तमाम लोक सभा के सदस्यों का सम्मेलन बलाया था । अभी तृतीय पंच-वर्षीय योजना बनाई जा रही है, उस में क्या यह कोशिश की जायगी कि उत्तर प्रदेश के लोगों की ये शिकायतें रफा की जाय ?

Mr. Speaker: He has put a question Of course, it is a long question Part (c) of the question is

> "Whether the Central Government propose to set up such a factory in any other State"

Evidently, the hon Member is coming from U P and, therefore, he has put that question

Shri Manubhai Shah: I have already indicated that the Central Government as such is not establishing any factory in the public sector, which is the common parlance term But the proposal from a U.P. factory in the private sector has already been sanctioned for expansion The rest of the complaint for which the hon Member took advantage to put in a question in a long way in Hindi, and which has not much relevance to this question, is that the U P Government is dissatisfied, as the other hon Member said also West Bengal Government is dissatisfied with the Central Government Here I may assure the hon Members from U P. as well as elsewhere that in all proposals that we receive and in all proposals of the public sector that we formulate we try to distribute and disperse as many industries as possible in every part of India

Works Committees

\+

*446. { **Shri Kunhan:**
Shri A. K Gopalan:

Will the Minister of **Labour and Employment** be pleased to state

(a) whether it is intended to exempt Bombay and Calcutta Ports from the obligation of setting up Works Committees, and

(b) if so, the reasons for not setting up the Committees?

The Parliamentary Secretary to the Minister of Labour and Employment and Planning (Shri L N Mishra): (a) No

(b) Most of the trade unions in the two ports do not appear to be in favour of setting up Works Committees in these Ports

Shri Kunhan: May I know the consideration that weighed with the Government for granting exemption to these two ports?

Shri L. N. Mishra: I could not follow the question

Shri Kunhan: May I know the consideration that weighed with the Government in granting exemption to these two ports?

Mr Speaker: What are the considerations which weighed with the Government to exempt these two ports?

Shri L. N. Mishra: We have not exempted them. We have been anxious to have these works committees at these two ports. The Ministry is trying since 1948 but the local trade unions are not co-operating.

Shri Tangamani: May I know whether Government have issued orders for the establishment of these works committees in the three major ports of Madras, Calcutta and Bombay and whether Madras has got the works committee? If so, what is the delay in the setting up of these works committees in Bombay and Calcutta?

Shri L. N. Mishra: Orders were issued in the year 1948 Bombay and Calcutta have not yet been able to have the works committees The main difficulty is that trade union organisations have not been co-operating There are three kinds of difficulties that have cropped up Firstly, the trade unions refuse to disclose their membership Secondly, their activities are not confined to one particular sector Thirdly, the membership also has been fluctuating. In a word we have not yet been able to get due co-operation from the trade union organisation there. If we get this, the works committees will be set up

Shri S. M. Banerjee: May I know whether it is a fact that the works committees are not functioning properly and that is one of the reasons why unions are losing faith in the establishment of works committees?

Mr Speaker: We are going away from one thing to another

Shri S. M. Banerjee: The unions objected to it and therefore my question is relevant

Mr. Speaker: This question is not a general question on the works committees. The question is if they have a proposal to exempt Bombay or Calcutta. The answer is that there is no proposal to exempt them; on the other hand, the Government is persuading Bombay and Calcutta Port Trusts to have them.

Shri S. M. Banerjee: May I state that this question is relevant in the sense that the unions are not co-operating? What are the reasons as to why they are not co-operating?

Mr. Speaker: Hon. Member seems to know better than the Government.

Shri S. M. Banerjee: I do not belong to Calcutta

Shri Tridib Kumar Chaudhuri: What are the specific reasons because of which the unions have refused co-operation It seems from the question that the works committees are proposed to be set up in separate section of the port. What are the exact reasons which have impelled the unions to refuse co-operation?

Shri L. N Mishra: The unions have not given us any particular reasons, but the Ministry of Transport and Communications, which is the Ministry in charge of ports, tried to set up works committees according to our instructions and they felt that they had these three difficulties which I have stated earlier. There is no question of setting up works committees for different sections. For each port we wanted to have works committees which we have not been able to have

Shri Tridib Kumar Chaudhuri: If I heard him right, he also said that it was difficult to ascertain the membership of the port unions. In view of the fact that both the Central Government and the State Governments have a system of registration and submission of returns and annual verification what is the difficulty in finding out the membership of these unions?

Shri L. N. Mishra: We have not got the figures section-wise. We have got the figures of the unions working in a particular port

The Minister of Labour and Employment and Planning (Shri Nanda): May I say a word about this question of works committees particularly because an impression is being created that the non-co-operation of those unions might have resulted from the fact that the works committees are

not functioning properly in other places also? This is not a very correct impression. We have made an enquiry and we have now been able to ascertain that it cannot be said that uniformly they are successful or otherwise. In a number of places works committees are functioning satisfactorily. Therefore that is not the reason. But we have appointed a committee in the last session of the Indian Labour Conference. A committee was appointed to deal with the whole question and this matter also we shall refer to that committee.

Shri P. C. Borooah: May I know whether Government have framed any constitution for the formation of works committees elsewhere? If not, do they propose to do so?

Shri L. N. Mishra: According to the provisions of the Industrial Disputes Act there are rules for the working of the works committees and these works committees are working according to those rules.

Dr. M. S. Aney: What are the functions of these works committees?

Mr. Speaker: Hon. Members will kindly look towards the Chair when asking qusetions so that all sides of the House may hear and know the question instead of addressing the hon. Minister concerned. It becomes a conversation between them.

Dr. M. S. Aney: I have asked him as to what are the functions of these works committees.

Shri L. N. Mishra: The functions of the works committees are stated in the Act.

Mr. Speaker: That is going into a larger issue.

Shri Narayanankutty Menon: May I know whether any instruction has been issued for the election of the works committee in the fourth major port of Cochin under the Industrial Disputes Rules?

Shri L. N. Mishra: I will require notice.

श्रमजीवी पत्रकार मजूरी समिति

*४४८. + श्री प्रकाश वीर शास्त्री :
श्री श्रीनारायण दास :
श्री राधा रमण :
श्री दी० चं० शर्मा :
श्री राम कृष्ण गुप्त :
श्री अंसार हरवानी :
श्री सूपकार :
श्री वाजपेयी :
श्री नारायण् कुट्टि मेनन :
श्री पुन्नूस :
श्री स० म० बनर्जी :
श्री जगदीश अवस्थी :
श्री नागी रेड्डी :
श्री सरजू पाण्डे :
श्री अ० क० गोपालन :
श्री कुन्हन :
श्री भक्त दर्शन :
श्री मुहम्मद इलियास :

क्या **श्रम और रोजगार** मंत्री यह बताने की कृपा करेंगे कि :

(क) श्रमजीवी पत्रकार मजूरी समिति की रिपोर्ट को लागू करने के लिये क्या कार्यवाही की गई है;

(ख) क्या किन्हीं समाचारपत्रों के स्वामियों ने इन निर्णयों को लागू किया है;

(ग) क्या उन समाचारपत्रों के स्वामियों के विरुद्ध सरकार कोई कार्यवाही करेगी जो इन्हें लागू नहीं करेंगे; और

(घ) इन निर्णयों को लागू करने के फलस्वरूप समाचारपत्रों के स्वामियों के ऊपर कितने प्रतिशत बोझ बढ़ गया है ?

श्रम उपमंत्री (श्री आबिद अली) : (क) पत्रकार कानून के अमल की जिम्मेवारी राज्य सरकारों की है जो इस रिपोर्ट को जैसा कि केन्द्रीय सरकार ने मंजूर किया है लागू करने की व्यवस्था कर रही हैं और अखबारों

संस्थायें रिपोर्ट के अनुसार जल्द अमल करें ऐसी कोशिश हो रही है ।

(ख) जी, हां ।

(ग) जी, हां । राज्य सरकारों द्वारा ।

(घ) सूचना प्राप्त नहीं है ।

[**Shri Abid Ali:** (a) The State Governments are the appropriate Government under the Working Journalists (Condition of Service) and Miscellaneous Provisions Act and are looking after the implementation of the Report of the Working Journalists Wage Committee, as modified, by the Central Government. The reports so far received indicate that the State Governments are taking steps to persuade the newspaper establishments to implement the Report at an early date.

(b) Yes.

(c) Yes. By the State Governments.

(d) The information is not available.]

श्री प्रकाश वीर शास्त्री : श्रमजीवी पत्रकार मजदूरी समिति के निर्णय को समाचार-पत्रों के जिन स्वामियों ने लागू किया है उन्होंने उसे पूर्णतया लागू किया है अथवा अंशत: लागू किया है ?

श्री आबिद अली : गवर्नमेंट ने उस रिपोर्ट में थोड़ा फर्क किया है, वह रिपोर्ट अमल में आनी चाहिये ।

श्री प्रकाश वीर शास्त्री : मेरा प्रश्न यह नहीं है । मेरा प्रश्न ऐसा है कि समाचारपत्रों के जिन स्वामियों ने इस निर्णय को लागू किया है उन्होंने उस रिपोर्ट को पूरी ज्यों की त्यों लागू किया है अथवा कुछ बचाव के साथ लागू किया है ?

श्री आबिद अली : पूरी लागू करना चाहिये ।

श्री भक्त दर्शन : श्रीमान्, क्या गवर्नमेंट के ध्यान में यह बात आई है कि इस कमेटी ने जो निर्णय दिया है, उस से श्रमजीवी पत्रकार संगठन ने अपना घनघोर असन्तोष प्रकट किया है ? ऐसी दशा में क्या गवर्नमेंट यह विचार करेगी या कर सकती है कि कभी भविष्य में इस बारे में संशोधन किया जाये ?

श्री आबिद अली : हां, एक प्रस्ताव तो पास किया गया है, लेकिन मेरा ख्याल यह है कि करीब करीब सब ने इसे मंजूर कर ही लिया है और खुशी से मंजूर किया है । फिलहाल तो कोई फेर बदल करने की कोशिश नहीं की जायेगी ।

Shri Vajpayee: May I know if any time limit has been fixed for the implementation of this decision? If not, are we to understand that the press magnates are going to implement these decisions at their wish?

Shri Abid Ali: Should be implemented immediately.

Shri Vajpayee: What is the definition of immediately?

Mr. Speaker: The hon. Member understands that word.

Shri Vajpayee: No, Sir, I do not.

Shri Narayanankutty Menon: May I know whether the Government are aware of the very serious situation created by the judgment of the Madras High Court in the case of Express Newspapers whereby the High Court held that the employer has an inherent right to close down the business and thereby avoid the implementation of the recommendations of the committee? If so, may I know whether the Government propose to remedy the situation by any action?

Shri Abid Ali: I have seen the report. It is being studied by the Law Ministry.

Shri S. M. Banerjee: I want to know whether some of the unanimous recommendations have not been accepted by the Government. If so, what are those recommendations? I want to know also whether the Committee recommended that gross revenue

should be taken into account but the Government took the net circulation and advertisement revenue into account Why this particular recommendation was not accepted *in toto*?

Shri Abid Ali: The Report is available with Government modification in the Library The hon Member may see it there

Shri S M. Banerjee: I want to know the reasons This was a unanimous recommendation

Mr. Speaker: The hon Minister says that the hon Member may refer to the report

Shri S M. Banerjee. It is not a question of referring to the Report It is a question of acceptance A unanimous recommendation of the Wage Committee was not accepted by the Government They are protecting the interest of the employer by having that modification That is my point which he does not want to reply to

Shri Abid Ali: There was a very minor sort of modification and the reasons also are mentioned there

Shri K. N. Pandey: May I know if the Government are aware that some of the papers have changed their names to avoid implementation of the recommendations? Will the Ministry see that those workers retrenched due to the change of the names will be rehabilitated and the benefits given to them?

Shri Abid Ali: To an earlier supplementary question, I have replied that this is receiving the Government's attention

Shri Joachim Alva: Government is armed with the right of granting newsprint to newspapers In a case like this where it may be legally correct to take a paper from one place to another, in what way will the Government grant relief to the workers in Madras when a newspaper owner chooses thus to put the workers in a jam?

Shri Abid Ali: The Madras High Court has ruled that, that particular establishment had a right to transfer. I have already submitted that the ruling is being studied

श्री सरजू पाण्डे : क्या मंत्री महोदय ने राज्य सरकारों से इस बात का जानने की कोशिश की है कि किन किन अखबार के मालिकों ने इस रिपोर्ट की पूरी सिफारिशों को लागू नहीं किया है ?

श्री आबिद अली : एक फेहरिस्त आई है जहां जहां यह लागू कर दी गई है और हम उनको हर पन्द्रहवें दिन पर एक खत भेजते हैं कि सब जगह इन सिफारिशों को जल्दी लागू करने की कोशिश की जाये ।

Shri A. M Tariq: May I know if any newspaper proprietor has been prosecuted up to this time for not implementing this decision?

Shri Abid Ali: Such information has not reached us

Mr. Speaker: Next question

Shri Muhammed Elias: One question Sir My name is there

Mr. Speaker: I know, every hon Member cannot ask I am trying to distribute supplementaries as much as possible among all hon Members

Shri Sadhan Gupta: Other Members have been allowed whose names are not there

Mr Speaker: Bhakt Darshan

श्री भक्त दर्शन : श्रीमन्, क्या मैं इसी प्रश्न पर सप्लीमेंटरी पूछ या अपना दूसरा प्रश्न पूछ ?

Mr. Speaker: You have a new question No 449

आई० ए० एस० ट्रेनिंग स्कूल का जबूरी से जाया जाना

+

*४४९. { **श्री भक्त दर्शन :** **श्री प्र० चं० देव :**

क्या शिक्षण, आवास और संचरण मंत्री ११ मार्च, १९५९ के तारांकित प्रश्न संख्या

११०५ के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि भारतीय प्रशासनिक सेवा (आई० ए० एस०) के प्रशिक्षण विद्यालय को दिल्ली से मसूरी ले जाने के सम्बन्ध में इस बीच और क्या प्रगति हुई है ?

निर्माण, आवास तथा संभरण उपमंत्री (श्री अनिल कु० चन्दा): इस संस्था को मसूरी में स्थान दिलाने की कार्यवाही लगभग पूरी हो रही है और आशा की जाती है कि इस महीने के अन्त तक स्कूल वहां चला जायेगा।

An Hon. Member: In English also

Mr Speaker: Yes

[**Shri Anil K. Chanda.** Arrangements for housing the institution at Mussoorie are nearing completion and it is expected that the School will move to that place by the end of this month]

श्री भक्त दर्शन : श्रीमन मंत्री महोदय को इस निर्णय के लिये धन्यवाद देते हुए, मैं यह जानना चाहता हूं कि आखिर इस मामले में इतनी देरी क्यों हो रही है ?

Shri Anil K Chanda. We have sent our officers to take possession of the building As I said, towards the end of the month the school will possibly move out

श्री भक्त दर्शन : श्रीमन् इस आलोचना में कितनी सत्यता है कि इस होटल को आई० ए० एस० ट्रेनिंग स्कूल मसूरी में ले जाने के लिये जो कीमत गवर्नमेंट की ओर से दी गई है वह बाजार-कीमत से कुछ ज्यादा है और क्या इस पर प्रकाश डाला जायगा ?

Shri Anil K. Chanda: I do not think so, Sir It is a big property with land, building and furniture Excepting crockery, cutlery and consumable goods, the entire property has been bought for a sum of Rs 4 lakhs

Shri Sonavane: What are the advantages of shifting this I.A.S training school from Delhi to Mussoorie besides the bracing climate?

Shri Anil K. Chanda: That is a question which has been answered several times in the House

Mr. Speaker: That question does not arise out of this This only refers to further progress in regard to shifting Next question

Manganese Industry

*450. **Shri Keshava:** Will the Minister of Commerce and Industry be pleased to state

(a) whether it is a fact that the manganese industry in India is passing through a crisis on account of the competition from the U S S R, and African and South American countries, and

(b) if so, the steps taken if any to help them to overcome the crisis?

The Deputy Minister of Commerce and Industry (Shri Satish Chandra): (a) Yes, Sir

(b) A statement is laid on the Table of the House [*See* Appendix II annexure No 43]

Shri Keshava: Apart from the steps which the Government have been pleased to take, to overcome the crisis as made out in the statement, may we know if the Government has evolved any scheme to continuously harness the initiative, enthusiasm and efficiency of the principal workers and others in this important industry within the structure of the industry?

Shri Satish Chandra I could not clearly understand the question of the hon Member Every effort is being made that the exports of manganese ore should be increased in fullest co-operation with the exporters and mine-owners With that end in view, the State Trading Corporation has entered into joint selling arrangements with some of the leading exporters and mine-owners They have entered into some sort of partnership for making joint endeavours to sell manganese ore I might

also state that the prospects from now onwards appear to be better than last year

Shri Panigrahi: May I know whether the S T C have asked some quota-holders to surrender their quotas for manganese ore exports?

Shri Satish Chandra: The S T C. has not asked any exporters to surrender their quotas As I said, in the joint selling arrangements, three or four firms of mine-owners and exporters have voluntarily entered into a sort of selling partnership with the S T C

Shri Panigrahi: May I know what is the amount of manganese ore which is in stock with the Government now and with the mine-owners at present?

Shri Satish Chandra: The Government has no stocks of manganese ore According to the latest information, about 4 to 5 lakh tons of manganese ore of various grades is lying at different ports

Central Public Works Department in Delhi

*453. **Shri Tangamani:** Will the Minister of Works, Housing and Supply be pleased to state

(a) whether it is a fact that there are two independent sub-Divisions in the Central Public Works Department in Delhi;

(b) if so, whether there is a proposal to merge them with some local Divisions, and

(c) if not, the reasons therefor?

The Deputy Minister of Works, Housing and Supply (Shri Anil K. Chanda): (a) Yes

(b) and (c) One of them namely, the Independent Aviation Electrical Sub-Division is proposed to be attached to the Runway Lighting Division, C P.W.D shortly

The remaining Sub-Division, namely the Independent Sub-Division under II Circle will continue as such so that the important works in the Sub-Division can be under the direct supervision of the Superintending Engineer.

Shri Tangamani: May we know whether the C.P.W.D. Workers' Union has suggested that this second sub-division also may be merged for the purpose of efficiency and economy?

Shri Anil K. Chanda: The matter will be reviewed soon

Shri Tangamani: May I know when this Independent Aviation sub-division will be merged?

Shri Anil K. Chanda: It should be in the course of the next few days

केरल का नारियल-जटा उद्योग

*४५३. **श्री वाजपेयी :** क्या वाणिज्य तथा उद्योग मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि केरल राज्य का नारियल-जटा उद्योग बड़ी संकट पूर्ण स्थिति में है,

(ख) यदि हां, तो इसका क्या कारण है,

(ग) क्या यह सच है कि नारियल-जटा उद्योग में मंदी के फलस्वरूप हजारों व्यक्ति बेकार हो गये हैं, जिन में ऐसे परिवार भी हैं, जो गत सवा सौ साल से निरन्तर यही काम करते चले आ रहे थे, और

(घ) इस संकट का निवारण करने के लिये अब तक कौन से कदम उठाये गये हैं ?

The Minister of Industry (Shri Manubhai Shah): (a) to (d). There has been no new crisis or depression in the coir industry in Kerala Among the important measures taken to help the industry are the organisation of co-operatives on an intensive scale and promotion of internal and external markets for coir and coir products.

Shri Vajpayee: Is there any appreciable increase in the export of articles made of coir from Kerala during the last two years?

Shri Manubhai Shah: Export has increased. I would not say appreciably. From 69,650 tons in 1957-58, it rose to 73,400 tons in 1958-59.

Shri Narayanankutty Menon: May I know whether there is any proposal before the Government to abolish the Coir Board as it stands today?

Shri Manubhai Shah: No, Sir.

Wage Board for Cement

+

*454. { **Shri Kunhan:** / **Shri T. B. Vittal Rao:**

Will the Minister of **Labour and Employment** be pleased to refer to the reply given to Starred Question No. 1804 on the 14th April, 1959 and state:

(a) whether the Cement Wage Board has since recommended interim relief for workers;

(b) if so, whether the same has been given effect to; and

(c) if the reply to part (a) be in the negative, the reasons for the delay?

The Deputy Minister of Labour (Shri Abid Ali): (a) No.

(b) Does not arise.

(c) The Wage Board is proceeding expeditiously and expects to submit a final reply shortly. In view of this, and with a view to avoid delay in submission of the final report, representatives of the employees did not press for interim relief at the Board meeting.

Shri T. B. Vittal Rao: The hon. Minister said that the Wage Board is going to submit its final report very shortly. May I know whether shortly means during the course of a couple of months?

Shri Abid Ali: That is what I hope, Sir.

Shri Tangamani: May I know whether this Wage Board has adduced any special reason for this delay in view of the fact that there are only a very few Unions in the Cement factories, one of the biggest being the A.C.C.?

Shri Abid Ali: I do not accept that there is any delay in the submission of the report. They have done the work very speedily, I submitted.

Shri S. M. Banerjee: May I know whether in view of this delay, according to us, the Wage Board is going to be asked to give some interim relief to the cement workers?

Shri Abid Ali: About interim relief, I have already submitted that the workers' representatives themselves were feeling that if this question were taken up, the submission of the final report would be delayed. They want the final report to come earlier.

Mr. Speaker: The Question Hour is over.

WRITTEN ANSWERS TO QUESTIONS

Plots Sold by Government in 1954

*448. **Shri Radha Raman:** Will the Minister of **Rehabilitation and Minority Affairs** be pleased to state:

(a) whether it is a fact that the possession of plots sold by his Ministry in Delhi during 1954 has not been given to their owners so far;

(b) if so, the reasons therefor;

(c) whether these plots are fully developed; and

(d) when the possession of these plots will be given to their owners?

The Deputy Minister of Rehabilitation (Shri P. S. Naskar): (a) to (d). The number of plots sold is fairly large and the information is not readily available. If information is required about any particular plot, it will be collected and furnished to the Honourable Member.

Export of Indian Textiles to Iraq

*441. **Shri Ajit Singh Sarhadi:** Will the Minister of **Commerce and Industry** be pleased to state:

(a) whether there has been any improvement in the export of Indian Textiles to Iraq as a result of opening of an office at Baghdad; and

(b) whether any further steps are being taken to improve exports of Textiles to Iraq?

The Deputy Minister of Commerce and Industry (Shri Satish Chandra): (a) The opening of the overseas office of the Cotton Textiles Export Promotion Council at Baghdad in 1956 helped to arrest the decline in exports. A slight improvement is noticeable since the beginning of this year.

(b) Incentive measures for promoting export of Cotton Textiles are applicable to Iraq also. The Council is undertaking promotional measures in co-operation with Iraqi importers

Trained Personnel for Industries

*447. **Shri Damani:** Will the Minister of Commerce and Industry be pleased to state the action taken by Government to form an autonomous institute to provide trained personnel to industries as recommended by the Indian Productivity Team?

The Minister of Industry (Shri Manubhai Shah): The matter is under consideration in the Ministry of Scientific Research and Cultural Affairs.

Training in Peaceful Uses of Atomic Energy

*451. **Shri Shree Narayan Das:**
Shri Radha Raman:

Will the Prime Minister be pleased to state the extent to which India has so far utilised the training opportunities provided by the International Atomic Energy Agency for general and specialised training and for research in the field of the peaceful uses of atomic energy?

The Parliamentary Secretary to the Prime Minister (Shri Sadath Ali Khan): So far the assistance of the International Atomic Energy Agency has not been utilised in arranging general or specialised training in the peaceful uses of atomic energy.

Utilisation of Development Funds

*455. **Pandit Munishwar Dutt Upadhyay:**
Shri M. L. Dwivedi:

Will the Minister of Planning be pleased to state:

(a) whether it is a fact that some of the States have spent only a portion of their development funds for the year 1958-59 specially on Agriculture, N.E.S. Blocks, Community Development Projects and Irrigation and Power;

(b) whether there are any valid grounds for leaving the funds idle on such vital schemes; and

(c) how are they to be dealt with regarding future allotment of funds?

The Deputy Minister of Planning (Shri S. N. Mishra): (a) The progress of expenditure on development programmes followed the provision in the Annual Plan. Details of the expenditure incurred have, however, not yet been received from all the States.

(b) Does not arise

(c) Does not arise.

Institute of Company Secretaries

*456. **Shri Muhammed Elias:** Will the Minister of Commerce and Industry be pleased to state:

(a) whether it is a fact that a proposal has been made to establish an Institute of Company Secretaries to train the secretaries; and

(b) if so, the details thereof?

The Minister of Commerce (Shri Nityanand Kanungo): (a) An all-India Institute known as the Institute of Company Secretaries is already in existence with its headquarters at Calcutta.

(b) The Institute was incorporated under the Companies Act, 1956 on the 8th November, 1956 with the support of Government with the object of providing an organisation for secretaries and other similar administrative officers in Joint Stock Companies, public or private corporations, societies, public bodies etc It is a non-profit making body, limited by guarantee and licensed under section 25 of the Companies Act, 1956 under its own Memoranda and Articles of Association and Bye-Laws

Property Rights to Scheduled Castes and Backward Classes

*457. **Shri Daljit Singh:** Will the Minister of **Rehabilitation and Minority Affairs** be pleased to refer to the reply given to Starred Question No 913 on the 4th September, 1958 and state the further progress made so far in implementation of the scheme in respect of the property rights for Scheduled Castes and other Backward Classes in Punjab State?

The Deputy Minister of Rehabilitation (Shri P. S. Naskar): Till the middle of July, 1959, 1,471 rural evacuee houses were transferred to the members of Scheduled Castes and other Backward classes in the Punjab at concessional rates

Export Quota Control of Raw Goat Skins

*458. **Shri N. R. Munisamy:** Will the Minister of **Commerce and Industry** be pleased to state

(a) whether any representations have been received by the Government of India from the United Kingdom against India's introduction of export quota control on raw goat skins,

(b) if so, with what results, and

(c) what are the effects upon India's trade industry of such export quota?

The Deputy Minister of Commerce and Industry (Shri Satish Chandra): (a) A representation was received from the British Kid Tanners Association Ltd, London

(b) The Association was informed that exports are allowed at the rate of 100 per cent of the best exports of established shippers in the three years 1956 to 1958

(c) The restrictions would facilitate supplies of the raw material to the tanning industry, provide increasing work for tanners in the country and result in larger exports of tanned skins

भारत में जापान का लघु और मध्यम उद्योगों का प्रतिनिधि मण्डल

*४५६. डा० राम सुभग सिंह :
श्री रघुनाथ सिंह :
श्री बामनी :
श्री कालिका सिंह :

क्या वाणिज्य तथा उद्योग मन्त्री यह बताने की कृपा करेंगे कि

(क) क्या यह सच है कि भारत सरकार ने जापान की सरकार से प्रार्थना की है कि वह भारत में लघु और मध्यम उद्योगों को स्थापित करने और उनका विकास करने के लिये सरकार को परामर्श देने हेतु इन उद्योगों के विशेषज्ञों का एक प्रतिनिधि मंडल भारत भेजें,

(ख) यदि हां, तो यह प्रतिनिधि मंडल कब भारत पहुंचेगा, और

(ग) इसे क्या काम सौंपा जायेगा ?

उद्योग मंत्री (श्री मनुभाई शाह) : (क) से (ग) सदन की मेज पर एक विवरण प्रस्तुत किया जाता है। [देखिये परिशिष्ट २, अनुबन्ध संख्या ४४]

Model Rules on Maternity Benefit

*460 **Shrimati Renu Chakravartty:**
Shri Muhammed Elias:

Will the Minister of **Labour and Employment** be pleased to state:

(a) whether all the State Governments have since furnished their

opinions regarding the Model Rules on Maternity Benefit circulated by the Central Government; and

(b) if so, the further steps Government propose to take in the matter?

The Deputy Minister of Labour (Shri Abid Ali): (a) Replies have been received from all the State Governments except Assam.

(b) As the adoption of the Model Rules will not result in uniformity being achieved in the matter of maternity benefit, it is proposed to undertake a Central legislation on the subject to prescribe uniform standards in this regard.

Displaced T.B. Patients in Tripura

*461. **Shri Dasaratha Deb:** Will the Minister of **Rehabilitation and Minority Affairs** be pleased to state·

(a) whether it is a fact that the financial assistance given to displaced persons suffering from T B in Tripura is stopped after a year, even though the patient may not get cured, and

(b) if so, whether it is proposed to continue such aid till the patient gets cured?

The Deputy Minister of Rehabilitation (Shri P. S. Naskar): (a) and (b) Ordinarily financial assistance to displaced T B patients is admissible for a period not exceeding six months pending admission into a hospital or a sanatorium This period can be extended to one year at the discretion of the Tripura Administration and still further by the Central Government on the recommendation of the medical authorities concerned Financial assistance is also given to a T.B patient for a period not exceeding three months after the date of discharge from the hospital or sanatorium. Throughout these periods the dependants of a T. B. patient are also given financial assistance

2 In Tripura, there were 82 cases in which financial assistance was stopped after one year On examination by a T.B. specialist it was found that only in four of these cases the displaced person was suffering from active T.B These four persons were admitted to a sanatorium for treatment and pending such admission, they were given financial assistance from the Chief Commissioner's Discretionary Fund.

Indo-Pak Trade Agreement

*462. **Shri Pahadia:**
Shri Ram Krishan Gupta:
Shri D C. Sharma:
Shri Pangarkar:
Shri P. C Borooah:
Shri S A Mehdi:
Shrimati Ila Palchoudhuri:
Shri Vajpayee:
Shri Assar:
Shri P. G Deb:
Shri Bishwanath Roy·
Shri Prakash Vir Shastri:
Shri Daljit Singh:

Will the Minister of **Commerce and Industry** be pleased to refer to the reply given to Starred Question No 2228 on the 5th May, 1959 and state

(a) whether talks were held recently between the Governments of India and Pakistan for reviewing the Indo-Pakistan Trade Agreement, and

(b) if so, the outcome thereof?

The Deputy Minister of Commerce and Industry (Shri Satish Chandra). (a) Yes, Sir

(b) As a result of the recent review of the working of the current Indo Pakistan Trade Agreement, it is hoped that the declining trend in the trade between the two countries will be reversed

शिकागो में अन्तर्राष्ट्रीय मेला

*४६३. **श्री सरजू पाण्डे :** क्या वाणिज्य तथा उद्योग मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या ३ जुलाई, १९५९ से शिकागो

में होने वाले अन्तर्राष्ट्रीय मेले में हथकरघा उद्योग की वस्तुयें प्रदर्शित की गई थीं, और

(ख) यदि हां, तो हथकरघा उद्योग की वस्तुओं को लोकप्रिय बनाने में कितनी सफलता मिली ?

वाणिज्य तथा उद्योग उपमंत्री (श्री सतीश चन्द्र) : (क) जी हां ।

(ख) मेले में प्रदर्शित किये गये हथकरघे के कपड़ों में काफी दिलचस्पी ली गई है । ३५ लाख रु० मूल्य के हथकरघे के माल के आर्डर वहीं पर प्राप्त हो गये ।

Maps of India

*464. **Shri A. M. Tariq:** Will the Minister of **Information and Broadcasting** be pleased to state:

(a) whether it is a fact that the Directorate of Advertising and Visual Publicity has published some maps of India for tourist interest,

(b) whether it is also a fact that these maps have been found defective after they were printed and distributed, and

(c) if so, whether Government have decided to withdraw these maps from circulation?

The Minister of Information and Broadcasting (Dr B V. Keskar): (a) to (c) The Directorate of Advertising and Visual Publicity has produced for the Department of Tourism, Ministry of Transport and Communications in India Tourist Map (Folder) and a Pictorial Map of India (Poster) Some minor defects in these maps have been brought to the notice of the Government and the distribution of the India Map folder has been suspended pending correction Tourist map was based on an official map of the Indian Airlines Corporation guide

Distribution of Raw Film

*465. **Shri Sadhan Gupta:** Will the Minister of **Commerce and Industry** be pleased to state·

(a) the quantity of raw film allocated to Calcutta region during 1958 for purposes of the cinematograph industry;

(b) whether the entire quota allocated to the Calcutta region was supplied,

(c) if not, the reason for the deficient supply;

(d) whether the attention of Government has been drawn to the reported statement of a spokesman of the Bengal Motion Pictures Association to the effect that the shooting of cinematograph films at Calcutta might have to stop for lack of adequate supply of raw film; and

(e) if so, the steps taken to prevent such an eventuality?

The Minister of Commerce (Shri Nityanand Kanungo): (a) 11·93 million feet

(b) No, Sir. Only 10·95 million feet were supplied during 1958

(c) A statement is laid on the Table of the House

(d) Yes, Sir

(e) A statement is laid on the Table of the House [*See* Appendix II, annexure No 45]

Central and State Governments Establishments Abroad

*466 **Shri Dinesh Singh:** Will the **Prime Minister** be pleased to state·

(a) how many Ministries of the Government of India, and State Governments have establishments and officials posted abroad,

(b) the reasons for maintaining these separate establishments, when the Ministry of External Affairs have already posted suitable personnel there; and

(c) are these establishments also inspected by the Foreign Service Inspectors?

The Deputy Minister of External Affairs (Shrimati Lakshmi Menon): (a) to (c). Apart from the separate

Establishments maintained in London and Washington by the office of the Comptroller and Auditor General, there are 13 Ministries of the Government of India who have their officials posted in our Missions abroad Most of these officials are specialists in their respective fields.

The object of inspection carried out by the Foreign Service Inspectorate of the Ministry of External Affairs is to assess the need for revision or adjustment of foreign allowances, daily allowances, salaries and scales of pay of local staff and house rent ceilings Their recommendations on all these matters are applicable to all the Missions and Establishments maintained by the Government of India in foreign countries Specific proposals referred to the Inspectors on matters such as augmentation of staff, office accommodation and purchase of property are also examined by the Inspectors

Shark Liver Oil

*467. **Shri Subbiah Ambalam:** Will the Minister of Commerce and Industry be pleased to state

(a) the quantity of crude shark liver oil produced in Madras State, and

(b) whether there is any proposal to erect a factory in Madras State for the manufacture of capsules from shark liver oil?

The Minister of Industry (Shri Manubhai Shah): (a) Exact figure of production of crude shark liver oil in the State is not available

(b) While there are no proposals for a new factory for the manufacture of capsules from shark liver oil, it is understood that the Government Factory at Kozhikode in Kerala, produces them

Textile Mills

*468. **Shri M. M Gandhi:** Will the Minister of Commerce and Industry be pleased to state:

(a) whether it is a fact that most of the textile mills which are showing poor results and as such are likely to be closed, are producing coarse and medium cloth;

(b) whether it is also a fact that the burden of excise duty on coarse and medium cloth has accentuated the conditions in which these Mills are placed at present,

(c) whether it is also a fact that the mills producing fine and superfine cloth are in a better position than the mills producing coarse and medium cloth, and

(d) if so, remedial steps proposed to be taken in the matter?

The Minister of Commerce (Shri Nityanand Kanungo): (a) to (d). A Note giving the required information is laid on the Table of the House [See Appendix II, annexure No. 46]

Indians Turned Away from U S.A. Beaches

*469. **Shrimati Parvathi Krishnan**
Shri Barman:
Shri S. C Samanta:
Shri Sadhan Gupta:
Shri S. A Mehdi:
Shri Ram Krishan Gupta:

Will the **Prime Minister** be pleased to state

(a) whether it is a fact that five Indian nationals three of them members of an official mission to the U S.A were turned away from two bathing beaches on Chespeake Bay on Sunday, the 20th July, 1959;

(b) if so, whether Government have enquired into the reasons as to why they were turned away, and

(c) the steps taken in the matter?

The Deputy Minister of External Affairs (Shrimati Lakshmi Menon): (a) to (c) We have seen Press reports alleging that some Indians were turned away from two bathing beaches in U S.A. We are waiting for a full report from our Embassy on the subject. As soon as it is received we shall make the facts available to the House.

Treatment to People of Indian Origin in South Africa

*470. **Shri Hem Barua:** Will the **Prime Minister** be pleased to state:

(a) whether it is a fact that India has asked that the question of the treatment meted out to people of Indian origin in South Africa should be inscribed in the agenda of the forthcoming Session of the U N General Assembly; and

(b) if so, with what result?

The Deputy Minister of External Affairs (Shrimati Lakshmi Menon): (a) and (b). The question of treatment to people of Indian origin in South Africa has been under discussion in the United Nations for a number of years Last year the General Assembly asked the parties to open talks with a view to finding a solution to this problem India and Pakistan suggested to South Africa that talks should be opened in pursuance of this resolution. However, there was no response from South Africa These facts have been reported to the United Nations and India and Pakistan have suggested discussion of this subject in the forthcoming session of the United Nations Assembly The item has been included in the provisional agenda which will come up for confirmation after the General Assembly has begun its work

Janata Hotel in Delhi

*471. **Shri S. A. Mehdi:**
Shri P. C. Borooah:
Shri Ramakrishna Reddy:
Shri Ram Krishan Gupta:
Shrimati Ila Palchoudhuri:

Will the Minister of **Works, Housing and Supply** be pleased to state:

(a) whether it is a fact that Government have decided to construct a Janata Hotel in Delhi; and

(b) if so, what is its estimated cost and when the Construction Work will be completed?

The Deputy Minister of Works, Housing and Supply (Shri Anil K. Chanda): (a) and (b). A proposal to construct Janata Hotel is being processed As the details have not yet been finalised, it is not possible to indicate now when the project will be completed and at what cost.

Exports and Imports

*472. **Shri D. C. Sharma:**
Shri Raghunath Singh:
Shri Bishwanath Roy:
Shri Jhulan Sinha:
Shri Ram Krishan Gupta:
Shri Jaipal Singh:
Shri Harish Chandra Mathur:
Shri Hem Barua:

Will the Minister of **Commerce and Industry** be pleased to lay a statement showing·

(a) the import and export trade position of India since 1st January, 1959;

(b) the total value of exports and imports made during this period;

(c) whether there is any shortfall in the value of exports during this period; and

(d) if so, which of the commodities are mainly responsible for the shortfall?

The Deputy Minister of Commerce and Industry (Shri Satish Chandra): (a) to (d) A statement is laid on the Table of the House

---

STATEMENT

Statistics of import and export trade are available upto May, 1959. The total value of imports and exports in January—June, 1959 was as follows:—

	Rs. in lakhs
Value of imports	41,862
Value of exports	26,695

(c) No, Sir (The compartive figure for the first six months in 1958 is Rs 25,058 lakhs).

(d) Does not arise.

Spun Silk Mill in Assam

*473 { Shri Subodh Hansda: Shri S C. Samanta:

Will the Minister of Commerce and Industry be pleased to state the steps taken for the establishment of a spun silk mill in Assam?

The Minister of Industry (Shri Manubhai Shah): It is proposed to set up a Spun Silk Mill at Jagi Road in Assam in public sector under the Second Five Year Plan The Government of Assam has concluded an agreement with a Japanese firm for import of machinery on deferred payment basis The contract entered into has been registered with the State Trading Corporation of India and Essentiality Certificate and Import Licence have been obtained The State Government is also making efforts to procure the items of machineries which are available in the country

Graphite Plant

*474. Shri Ram Krishan Gupta Will the Prime Minister be pleased to state·

(a) whether the scheme for setting up a plant to produce reactor grade and commercial graphite has been finalised, and

(b) if so, the details thereof?

The Parliamentary Secretary to the Prime Minister (Shri Sadath Ali Khan): (a) and (b) The question of setting up a plant to produce reactor grade and commercial grade graphite is under consideration

Manufacture of Rolls

*475. { Shri S. C. Samanta: Shri Subodh Hansda:

Will the Minister of Commerce and Industry be pleased to state:

(a) the steps taken for the manufacture of rolls of different types in the country, and

(b) who are the competent authorities from whom expert advice has been sought for the purpose?

The Minister of Industry (Shri Manubhai Shah): (a) A contract has been entered into between the Government of India and Messrs Techno-*export of Czechoslovakia on the 16th* August, 1956 for the setting up of a Foundary/Forge Plant which will, *inter alia* manufacture Rolls of different types and descriptions

(b) A Committee of Indian experts drawn from the Ministries of Commerce and Industry, Steel, Mines and Fuel, Railways and Defence as well as representatives of the Public and Private Sector undertakings was constituted for consultation from time to time on all important engineering and technical problems connected with the preparation of the detailed project report for the Foundry/Forge Plant

Mahatma Gandhi Memorial Hospital, Bombay

*476 { Shri Kunhan. Shri T. B Vittal Rao:

Will the Minister of Labour and Employment be pleased to refer to the reply given to Starred Question No 1976 on the 22nd April, 1959 and state

(a) when the construction of the Mahatma Gandhi Memorial Hospital at Bombay is likely to be completed,

(b) who are the members of the Board of Management of this Hospital; and

(c) whether any assessment of the value of the equipment has been made?

The Deputy Minister of Labour (Shri Abid Ali): (a) By the end of October 1961.

(b) Shri Neville N. Wadia, Shri Ramnath A. Podar, Dr. D. P. Sethna, Shri M. K. Jadhav, Colonel V. M. Albuquerque and Shri V. R. Mahadevan.

(c) No.

Rebate on Handloom Cloth

*477. **Shri Raghunath Singh:**
Shri N. R. Munisamy:
Shri Pahadia:
Shri Tangamani:
Shri T B. Vittal Rao:

Will the Minister of **Commerce and Industry** be pleased to state:

(a) whether it is a fact that the special rebate on handloom cloth has been reduced; and

(b) if so, the reasons therefor?

The Minister of Commerce (Shri Kanungo): (a) and (b) The rate of special additional rebate in the current financial year will be at four naye paise per rupee on sales of handloom cloth As compared with the rate in 1958, there is a reduction but as compared with the rates prevailing in previous years, 1957 and earlier, there is an increase.

The unusual rate adopted in 1958 was intended to effect a speedy liquidation of a very heavy concentration of accumulated stocks in the handloom sector.

Violation of Ceasefire Line by the Pakistanis

*478. **Dr. Ram Subhag Singh:**
Shri S. M. Banerjee:
Shri Hem Raj:
Shri N. R. Munisamy:
Shri P. C. Borooah:

Will the **Prime Minister** be pleased to lay a statement showing:

(a) the number of times the Jammu and Kashmir ceasefire line was violated by the Pakistani personnel from the beginning of May this year;

(b) in how many cases the attention of the United Nations observer was drawn towards these matters; and

(c) with what result?

The Deputy Minister of External Affairs (Shrimati Lakshmi Menon): (a) to (c). A statement is laid on the Table of the House.

STATEMENT

Cease-fire Line Violations by Pakistan Armed Personnel

(a) Number of cease-fire line violations by Pakistani armed personnel between May 1, 1959 and August 2, 1959		15
(b) Number of cases in which attention of U. N. observers was drawn to these violations		15
(c) Results	*Chief Military Observer's awards:*	
	Violation against Pakistan	2
	No Violation against Pakistan	4
	Cases pending	9

Textile Industry

*479 **Shri S M. Banerjee:** Will the Minister of **Commerce and Industry** be pleased to state:

(a) whether it is a fact that the Textile mill owners in certain regions have demanded more concessions from Government to avert further crisis in textile industry; and

(b) if so, the reactions of Government thereto?

The Minister of Commerce (Shri Kanungo): (a) Presumably, the hon. Member is referring to the representations made by the U.P. Cotton Textile Millowners' Committee recently to the Minister for Commerce and Industry asking for certain

concessions to the cotton textile industry in Uttar Pradesh.

(b) The matter is under consideration of the Government

Reinforcement of Pakistani Troops on Indo-Pak Border

*480. { Shrimati Ila Palchoudhuri: Shri Ram Krishan Gupta:

Will the Prime Minister be pleased to state

(a) whether Government of India's attention has been drawn to recent press reports in regard to reinforcements of Pakistani border posts, digging up of new trenches, construction of bunkers, heavy movements of Pakistani troops and ammunition and their concentration all along the East Pakistan border opposite to Dawki and other places in the Indian territory amounting to war-like preparations,

(b) if so, what are the actual facts, and

(c) the steps taken by Government of India in regard thereto?

The Parliamentary Secretary to the Minister of External Affairs (Shri J N Hazarika): (a) Yes, Sir, although it would be an exaggeration to describe them as war-like

(b) Reports of Pakistani troops' movements and concentrations within their own territory opposite Dawki started to be received from the second half of June These consisted of repairing their bunkers on the hills overlooking Dawki and reinforcement of their posts at Tamabil, Najapara, Masimpur, Gobbil, Rajapara, Gomairtola, Khasiador, Chinnakandi, Dalura Lalpani, Anarastilla, Sonatilla Saduram etc Pakistan forces also encroached into Indian territory in a betelnut grove in Bakurtilla and built three or four bunkers a few yards within Indian territory

On 31st July, Pak forces opened unprovoked fire on Dawki but a cease-fire was brought into effect from 2nd August.

(c) First, we drew the attention of the Pakistani authorities to their troops concentrations near Dawki, both at the State and Central levels Secondly, strong protests were lodged against the encroachment at Bakurtilla Thirdly, we took precautionary security measures in case Pakistani forces took any aggressive steps against Indian territory and when Pakistan armed forces opened fire, our forces retaliated Fourthly, the Deputy Commissioner of Shillong was successful in arranging a cease-fire with the Deputy Commissioner of Sylhet within two days of the firing Finally, Pakistani authorities have been persuaded to agree to vacate bunkers built by them in Indian territory at Bakurtilla and we are awaiting confirmation that this has been done

We are continuously taking steps, both to deter Pakistani aggression and to seek Pakistani co-operation, to prevent border firing

Madurai Spinning Mills

*481 { Shri Tangamani: Shri T B. Vittal Rao:

Will the Minister of Commerce and Industry be pleased to state

(a) whether it is a fact that the spinning mills of the Madurai Mills Limited remained closed for 65 days from 18th May, 1959,

(b) if so, the reasons therefor,

(c) what is the loss of production of yarn as a result of this closure, and

(d) the steps Government have taken for re-opening of the Mills?

The Minister of Commerce (Shri Kanungo): (a) Yes, Sir

(b) As a result of a dispute between the management and Labour over the fixation of workloads

(c) Loss of production of yarn was about 10429 bales per month.

(d) The Mills have since re-opened.

Forged Passports

*482 **Shri Hem Barua:** Will the **Prime Minister** be pleased to state

(a) whether it is a fact that some persons using forged passports for going out of India were apprehended recently at the Dum Dum Airport;

(b) if so, the steps so far taken against them;

(c) what is their number, and

(d) whether the source from which these forged passports emanated has been traced?

The Deputy Minister of External Affairs (Shrimati Lakshmi Menon): (a) to (d) Investigation in this case is still in progress It apears that a lady intending to leave for the U K was stopped at Dum Dum The passport she had covered only two children, but three persons tried to go with her

2 No information of this came to the Ministry as such information is not passed on automatically to the Ministry It was only when notice of this Question came that enquiries were started These are being proceeded with

केन्द्रीय लोक निर्माण विभाग

*४८३. **श्री अच्युत दर्शन** क्या निर्माण, आवास और संभरण मंत्री २३ फरवरी, १९५९ के तारांकित प्रश्न संख्या ५३० के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि केन्द्रीय लोक निर्माण विभाग के भवन तथा अन्य निर्माण कार्यों में ठेकेदारी प्रथा को समाप्त करने के प्रस्ताव के सिलसिले में इस बीच और क्या प्रगति हुई है ?

निर्माण, आवास तथा संभरण उपमंत्री (श्री अनिल के० चंदा) इस प्रश्न पर वित्त मंत्रालय और योजना आयोग की सलाह से विचार किया जा रहा है और जल्दी फैसला करने की कोशिश की जा रही है ।

Power Alcohol Industry in U.P

*484. **Shri S A. Mehdi:** Will the Minister of **Commerce and Industry** be pleased to state·

(a) whether it is a fact that power alcohol industry in Uttar Pradesh is unable to export its surplus products, and

(b) if so the steps taken by Government to help this industry?

The Minister of Industry (Shri Manubhai Shah): (a) Yes, Sir

(b) Assistance is being rendered to prospective exporters for establishing storage installations at port towns so as to facilitate export of alcohol in bulk

Hindu and Sikh Shrines in West Pakistan

*485. **Shri D C. Sharma:**
Shri Ajit Singh Sarhadi:
Shri Damar:
Shri Daljit Singh:

Will the **Prime Minister** be pleased to refer to the reply given to Starred Question No 678 on the 26th February 1959 and state

(a) whether any meeting of the Joint Committee set up for the preparation of lists of Hindu and Sikh religious shrines in West Pakistan has since been held,

(b) if so, the decision taken, and

(c) if the reply to (a) above is in the negative, when it is proposed to be held and what would be the agenda?

The Deputy Minister of External Affairs (Shrimati Lakshmi Menon): (a) to (c) No meeting of the Indo-Pakistan Joint Committee on shrines

has since been held. An invitation to the second meeting, proposed to be held in New Delhi, was extended to the Government of Pakistan in February, 1958. In spite of several reminders and approaches by our High Commissioner at Karachi, the Government of Pakistan have not so far accepted the invitation to the second meeting.

The following tentative agenda for the second meeting was agreed upon by the Joint Committee at its first meeting held at Karachi on the 24th and 25th February, 1958:

(i) Pooling of all income of the shrines in each country in a separate account and the utilization of funds in the account for the purpose of maintenance and repairs of the holy places.

(ii) Posting of Khadims, Sewadars, Pujaris, etc. to look after important shrines in two countries and payment of their expenses from the income of the shrines.

(iii) Liberalisation of travel and other facilities to pilgrims and pilgrim parties to the holy places in the two countries.

Trade Centres for Indian Handicrafts

*486. { Shri Ram Krishan Gupta: Shri A. M. Tariq: Shri Damani:

Will the Minister of Commerce and Industry be pleased to refer to the reply given to the Starred Question No. 30 on the 10th February, 1959 and state:

(a) whether the proposal to open Trade Centres at Frankfurt, (West Germany) Los Angles and New York, with a view to popularising Indian handicrafts has since been finalised; and

(b) if so, the details thereof?

The Minister of Industry (Shri Manubhai Shah): (a) and (b). The proposal is still being examined.

Sericulture Research Station at Berhampur

*487. { Shri Subodh Hansda: Shri S. C. Samanta:

Will the Minister of Commerce and Industry be pleased to state:

(a) whether the scheme for the Development of the Sericulture Research Station at Berhampur in West Bengal has been finalised;

(b) if so, the nature of the development scheme taken in hand;

(c) whether other Research Stations will also be developed in the same way; and

(d) if so, when these will be taken up?

The Minister of Industry (Shri Manubhai Shah): (a) Not yet, Sir.

(b) Does not arise.

(c) and (d). Proposals received from the Governments of Mysore, Assam and Bihar for development of the Sericultural Research Stations in their respective States have already been scrutinized by the Central Silk Board, and suitable financial assistance extended keeping in view the local problems proposed to be tackled in each area.

Financial Assistance to Bhutan

*488. **Shri Bhakt Darshan:** Will the Prime Minister be pleased to refer to the reply given to Unstarred Question No. 1959 on the 16th March, 1959 and state the further progress made so far in connection with the provision of financial assistance to Bhutan?

The Parliamentary Secretary to the Minister of External Affairs (Shri J. N. Hazarika): The financial assistance

as finally released to Bhutan during the financial year 1958-59 was as follows:

(1) Aid for the survey works on proposed road from Sarbang to Lapso Bhote	50,000
(2) Equipment for road construction work	1,00,000
(3) Fertilizers	11,000
(4) Supply of steel	63,195
(5) Supply of two trucks	63,996
(6) Supply of hospital equipment to Bhutan	1,28,438
TOTAL	4,16,629
(7) Loan to Bhutan for Orange Crushing Factory	2,20,000
GRAND TOTAL	6,36,629

In the current year, a provision of rupees seven lakhs exists in the budget for giving grants to Bhutan Out of this, a sum of Rs. 58,300 has been released for supply of cement and steel to Bhutan Proposals for sanctioning the balance is under consideration.

A provision of rupees 15 lakhs has also been made in the current year's budget for giving loans to Bhutan. Proposals in this respect are awaited from the Bhutan Government

Rents of Lodgings of Central and State Government Employees

*488. {Shri Tangamani: Shri T. B. Vittal Rao:

Will the Minister of Works, Housing and Supply be pleased to state:

(a) whether there is any discrimination in the rents charged for lodgings from Central Government and State Government employees in respect of the buildings owned by the Central Government at Delhi;

(b) if so, the reasons therefor; and

(c) the action Government propose to take in the matter?

The Deputy Minister of Works, Housing and Supply (Shri Anil K. Chanda): (a) Yes. In accordance with the existing arrangements, rent under F.R. 45-A is recovered from Central Government employees staying in Hostels etc. at Delhi, while rent under F.R. 45-B is recovered from officers of State Government

(b) Only Central Government employees are entitled to Central Government accommodation at concessional rates, i.e. under F.R. 45-A. All non-Central Government employees are charged rent at F.R. 45-B rates which involve no concession

(c) The question of introduction of reciprocal arrangements is under consideration.

Import of Raw Materials for Sports Goods

*490. **Shri S. A. Mehdi:** Will the Minister of Commerce and Industry be pleased to state:

(a) whether Government have received a complaint from the Sports Goods Export Promotion Council to the effect that due to lack of raw material the quality of Indian sports goods is deteriorating;

(b) if so, the steps taken for the import of raw material for sports goods; and

(c) how much amount has been sanctioned for this purpose?

The Minister of Commerce (Shri Kanungo): (a) and (b). No, Sir. No such complaint has been made by the Sports Goods Export Promotion Council. Actual user applications from manufacturers of sports goods are considered on the recommendations of the Director of Industries. In addition, import licences for raw materials on the export performances are given on the recommendations of the Sports Goods Export Promotion Council.

(c) There is no rigid foreign exchange ceiling for licensing of raw materials for the sports goods industry.

State Trading Corporation

805 Shri Ram Krishan Gupta: Will the Minister of Commerce and Industry be pleased to state:

(a) the value of turn-over in commodities directly purchased by the State Trading Corporation during 1958-59; and

(b) the total amount of profit on this turn-over?

The Minister of Commerce (Shri Kanungo): (a) and (b) The accounts of the STC for the year 1958-59 have not yet been finalised and audited As such, information sought for cannot be given at present

Civil Works in Bombay State

806 Shri Ram Krishan Gupta: Will the Minister of Works, Housing and Supply be pleased to state·

(a) the total amount sanctioned by the Central Government during 1958-59 for the civil works in Bombay State, and

(b) total amount to be spent during 1959-60?

The Minister of Works, Housing and Supply (Shri K. C Reddy): (a) Rs 2,25,00,756; and

(b) Rs 2,58,54,000

These figures do not include information in respect of a few Ministries whose replies are awaited

Imports through the State Trading Corporation

807 Shri Ram Krishan Gupta Will the Minister of Commerce and Industry be pleased to state the total value of goods imported from foreign countries during 1958-59 through the State Trading Corporation?

The Minister of Commerce (Shri Kanungo): Rs 7,65,79,484·73

Machinery for Mineral Oil Industry

808 Shri Ram Krishan Gupta: Will the Minister of Commerce and Industry be pleased to refer to the reply given to Unstarred Question No. 474 on the 18th February, 1959 and state at what stage stands the proposal to establish a factory to manufacture the machinery for Mineral Oil Industry in India?

The Minister of Industry (Shri Manubhai Shah): There has been no further progress However, the question of providing adequate capacity for the manufacture of machinery for Mineral Oil Industry in the Heavy Machinery Project to be set up with Soviet assistance, is under active consideration of the Government

Industries (Development and Regulation) Act

809 Shri Ram Krishan Gupta: Will the Minister of Commerce and Industry be pleased to state

(a) the names of defaulters against whom action has been taken under sections 15 and 16 of the Industries (Development and Regulation) Act, 1951, during the period 1958-59 (State-wise), and

(b) the nature of action taken in each case?

The Minister of Industry (Shri Manubhai Shah): (a) and (b). A statement of cases in respect of which action under section 15 of the Industries (Development and Regulation) Act, 1951, has been taken is placed on the Table [See Appendix II, annexure No 47] Action under section 16 of the Act has not been taken during the period 1958-59

Khadi and Village Industries Board Bombay

810. Shri Pangarkar: Will the Minister of Commerce and Industry be pleased to state

(a) the amount allotted during 1958-59 by the Khadi and Village Industries Commission to the Khadi and Village Industries Board of Bombay and

(b) the amount proposed to be given to the Board during 1959-60?

The Minister of Industry (Shri Manubhai Shah): (a) Rs. 16,16,218 as grants and Rs. 26,21,900 as loans.

(b) The tentative allocations made by the Khadi and Village Industries Commission to the Khadi and Village Industries Board of Bombay during 1959-60 are Rs. 16,85,135 as grants and Rs. 38,26,025 as loans.

Trade with Egypt

811. **Shri Pangarkar**: Will the Minister of **Commerce and Industry** be pleased to state:

(a) whether there is any improvement in the export of Indian goods to Egypt during 1958-59 as compared to 1957-58; and

(b) whether the imports into India from Egypt have declined during 1958-59 as compared to 1957-58?

The Deputy Minister of Commerce and Industry (Shri Satish Chandra): (a) No, Sir. The respective figures of exports are as follows:

1957-58	..	1060 lakhs.
1958-59	..	823 lakhs.

(b) Yes, Sir. The respective figures of imports are as follows:

1957-58	..	812 lakhs.
1958-59	..	669 lakhs.

Export of Tea

812. **Shri Ram Krishan Gupta**: Will the Minister of **Commerce and Industry** be pleased to refer to the reply given to Unstarred Question No 3391 on the 22nd April, 1959 and state the names of the countries where Public Relations Units have been opened and Tea Promotion Officers have been appointed so far for the promotion of tea exports?

The Deputy Minister of Commerce and Industry (Shri Satish Chandra): Public Relations Units have already been sanctioned for Egypt and Australia. Officers to hold charge of these units have been selected and are under training with a view to join their posts shortly.

Import of Car Spare Parts

813. **Shri Ram Krishan Gupta**: Will the Minister of **Commerce and Industry** be pleased to state the value of the import licenses issued to car manufacturing firms during 1958-59 for the import of car spare parts, firms-wise?

The Minister of Commerce (Shri Kanungo): Import licences for spares are not being issued to vehicle manufacturers separately for car and trucks but in bulk to cover the requirements of both types. During 1958-59 the licences issued for import of spare parts were as under:

	Value in lakhs of Rs.
	1958-59
1. M/s. Ashok Leyland Ltd.	26·95
2. M/s. Hindustan Motors Ltd.	41·11
3. M/s. Mahindra & Mahindra Ltd.	36·05
4. M/s. Premier Automobiles Ltd.	57·53
5. M/s. Standard Motor Products of India Ltd.	11·72
6. M/s. Tata Locomotive & Engg. Co. Ltd.	54·15
TOTAL	227·40

Off-take of Cloth

814. **Shri Ram Krishan Gupta**: Will the Minister of **Commerce and Industry** be pleased to state the total off-take of cloth from the textile mills in Punjab during 1959 so far (mill-wise)?

The Minister of Commerce and Industry (Shri Kanungo): A statement giving the required information is placed on the Table of the House.

STATEMENT

Deliveries of cloth for domestic sale, export and other purposes by Punjab Mills from January to June, 1959 are as follows:—

	(Quantity in '000' yards)
Punjab Cloth Mills . .	3,340
Technological Institute of Textile .	19,562
Jagatjit Cotton Textile Mills Ltd. . .	11,565
Dayal Bagh Spinning and Weaving Mills	1,621

Indian Villages in Pakistan

815. Shri Ram Krishan Gupta: Will the Prime Minister be pleased to state·

(a) the number of villages at Punjab border some area of which is in Pakistan; and

(b) the arrangement that exists in these villages to check illegal trade with Pakistan?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): (a) On the Punjab border, there are, in all, 92 villages, some area of which is in the adverse possession of Pakistan.

(b) Close vigilance is maintained day and night by the authorities

Expenditure on Dalai Lama

816. Shri Panigrahi:
Shri Wodeyar:
Shri S. A. Mehdi:
Shri Ram Krishan Gupta:

Will the Prime Minister be pleased to state:

(a) the total amount of money which was spent in receiving the Dalai Lama at the Indian border and bringing him to Mussoorie for his stay;

(b) the amount of money which the Government of India have spent so far in making all arrangements for the Dalai Lama and his party's stay and boarding at Mussoorie so far; and

(c) whether Government of India have given some officers special responsibility to look after the Dalai Lama and his party at Mussoorie?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): (a) The exact expenditure is not known, as information from Assam and West Bengal Governments, who have incurred the expenditure is still awaited The information so far available indicates that a sum of approx. Rs 23,089 was spent while the Dalai Lama and his Party were in NEFA, Varanasi and Sarnath including the cost of his special train and catering from Varanasi to Dehra Dun

(b) The exact expenditure is not known Some bills are yet to be paid and some are expected The amount spent till 15-6-1959 is approx. Rs. 85,217 and the monthly estimated expenditure thereafter is likely to be Rs 29,256

(c) Yes A liaison officer has been attached to the Dalai Lama's party

Listing of Dock Workers at Calcutta and Madras

817. Shri Anthony Pillai: Will the Minister of Labour and Employment be pleased to refer to the reply given to Unstarred Question No 4253 on the 8th May, 1959 and state the progress since made in the matter of listing of workers by the Calcutta and Madras Dock Labour Boards?

The Deputy Minister of Labour (Shri Abid Ali): The present position regarding the listing of dock workers in Calcutta and Madras is as under:—

(i) Calcutta

Categories of workers	No. approved for listing
Chipping and Painting Workers	1,679
Baggers & Stitchers	177
Salt Workers	543
Coal Bunkering and Coal Stevedoring Workers	475

(ii) Madras

Categories of workers	No. approved for listing
Chipping and Painting Workers	200
Coal Stevedore Workers	316
Other categories (shore workers, handling coal, ore scrap iron, sulphur, bulk phosphate etc.)	1,800 (listing in progress)

Occupational Hazards in Atomic Establishments

818. Shri P. K. Deo: Will the Minister of Labour and Employment be pleased to state:

(a) the various occupational hazards in an atomic establishment due to radio-activity and similar other reactions; and

(b) whether those diseases have been incorporated in the list of occupational diseases reproduced in Schedule III of the Workmen's Compensation Act, 1923?

The Deputy Minister of Labour (Shri Abid Ali): (a) and (b) The information is being collected and will be laid on the table of the Sabha

Export of Iron Ore to Japan

819. Shri P. K. Deo: Will the Minister of Commerce and Industry be pleased to refer to the reply given to Starred Question No 680 on the 26th February, 1959 and state the quantity of Iron ore exported to Japan during 1959 so far through various ports of India (Port-wise)?

The Deputy Minister of Commerce and Industry (Shri Satish Chandra): A statement showing port-wise exports of iron ore to Japan during January to June 1959 is laid on the table

STATEMENT

Export of Iron Ore to Japan from January to June, 1959 (Port-wise)

Port	Qty. in tons
Calcutta	2,34,862
Bombay	8,025
Madras	1,52,828
Vishakhapatnam	24,685
Masulipatam	64,167
Kakinada	41,282
Karwar	3,209
Mangalore	17,697
Cuddalore	1,31,357
Redi	86,800
Paradip	14,921
Kandla	68,184
TOTAL	9,48,021

Applications Pending for Passports

820. Shri Hem Raj: Will the Prime Minister be pleased to state

(a) the number of applications pending for passports during the years 1957, 1958 and 1959 to England, Middle East and Far Eastern countries, Europe and American countries from different States, year-wise and State-wise,

(b) the number of such applications year-wise and State-wise which are more than three months, nine months, a year and over a year old; and

(c) the main reasons for such long delay?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): (a) to (c) The information is being collected and will be placed on the Table of the House

Industrial Development of Bihar

821 Shri Anirudh Sinha: Will the Minister of Commerce and Industry be pleased to state the total amount granted to the Government of Bihar by the Central Government for the Industrial Development of the State during the First and Second Five Year Plan periods separately?

The Minister of Industry (Shri Manubhai Shah): The information is being collected and will be placed on the Table of the House in due course.

Indian Yogis in Russia

822. **Shri Harish Chandra Mathur:**
Shrimati Ila Palchoudhuri:
Pandit D. N. Tiwary:

Will the **Prime Minister** be pleased to state:

(a) whether Indian Yogis are imparting Yogic knowledge of breath control in U.S.S.R., and

(b) whether it is under any of the schemes of Indo-U.S.S.R. collaboration?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): (a) and (b). The Government of India have seen a report in the Press suggesting that Indian Yogis are teaching prospective space travellers in U.S.S.R. the art of breathing in different atmospheres. However, our Embassy in Moscow have no such information and we do not know the basis on which the Press carried this report.

Bicycle Industry

823. **Shri Harish Chandra Mathur:** Will the Minister of **Commerce and Industry** be pleased to lay a statement on the Table showing

(a) to what extent the Bicycle Industry has expanded from year to year since 1955 in (i) large scale (ii) medium scale and (iii) small scale sectors;

(b) what is the programme for its future expansion,

(c) the percentage and value of components purchased by the large scale industry from small scale units; and

(d) what principle, if any, is followed by Government in respect of part (c) in regulating and licensing the industry?

The Minister of Industry (Shri Manubhai Shah): (a) to (d) A statement is laid on the Table of the House [*See* Appendix II, annexure No. 48]

Employment Exchanges

824. **Shri D. C. Sharma:** Will the Minister of **Labour and Employment** be pleased to state:

(a) the total number of persons registered with the Employment Exchanges during the year 1959 (as on the 1st July, 1959); State-wise;

(b) the total number of vacancies notified to the Employment Exchanges during the same period, State-wise;

(c) the total number of persons who actually got jobs during the above period, State-wise;

(d) the number out of these to whom service was provided in States, at the Centre, in Semi-Government and private firms;

(e) whether any change in the occupational distribution of employment seekers has been noticed; and

(f) the total number of Scheduled Castes people who registered themselves with the Employment Exchanges during 1959 (as on the 1st July, 1959) and the number of those who secured employment during the same period?

The Deputy Minister of Labour (Shri Abid Ali): (a) to (f) A statement is laid on the Table of the House [*See* Appendix II, annexure 49]

Investments in Coffee Plantations

825. **Shri D. C. Sharma:** Will the Minister of **Commerce and Industry** be pleased to state

(a) the amount of foreign investment in the Coffee plantations in India

(b) the extent of Indian Capital invested in the Industry at present, and

(c) the steps taken to increase the Indian Capital investment in the above industry?

The Minister of Commerce (Shri Kanungo): (a) According to information available foreign capital invested

in Companies engaged in coffee plantations was Rs. 29·5 lakhs at the end of 1957.

(b) Precise figures are not available but P.I.C. estimated Indian capital invested in coffee estates over 100 acres as Rs. 12·18 crores on 30th June, 1954. Since then this figure must have increased as a result of transfer of non-Indian coffee estates to Indian hands

(c) No steps are necessary, as by processes of sale of estates, foreign capital in coffee industry has dwindled to a negligible figure.

Housing of Industrial Workers

826. { **Shri Ram Krishan Gupta:** / **Shri Panigrahi:**

Will the Minister of **Labour and Employment** be pleased to refer to the reply given to Unstarred Question No 1004 on the 26th February, 1959 and state:

(a) whether Government have since received reports from the remaining States regarding the special survey conducted by them to find out the magnitude of the housing problem of industrial workers; and

(b) if so, the details thereof (Statewise)?

The Deputy Minister of Labour (Shri Abid Ali): (a) Reports have been received from the Governments of Andhra Pradesh and Bihar

(b) *Andhra Pradesh*: About 36,575 permanent industrial workers require the provision of residential accommodation; under the Second Plan, it is proposed to provide 7,778 houses under the Subsidised Industrial Housing Scheme. Industrial Co-operation Housing and Building Societies are also being organised to relieve housing shortage for industrial workers. The response from workers is not however, encouraging.

Bihar: The *ad hoc* Survey conducted on a stratified random sample basis in Jamshedpur in 1956 revealed a potential demand of about 24,000 houses at varying rents. Another survey conducted in 1957 concerning workers in sugar factories showed that a large number of workers were without houses Out of about 6,500 permanent workers, only about 3,300 were provided with residential accommodation The demand for houses from seasonal workers was estimated at about 7,300

Sulphite Cellulose Mill at Mirthal (Punjab)

827. { **Shri Ram Krishan Gupta:** / **Shri D. C. Sharma:**

Will the Minister of **Commerce and Industry** be pleased to refer to the reply given to Unstarred Question No 39 on the 10th February, 1959 and state at what stage stands the scheme for setting up a Sulphite Cellulose Mill at Mirthal in Punjab?

The Minister of Industry (Shri Manubhai Shah): The Finnish Experts' recommendations have been considered by the Government The suggestions made by them involve long term developments in the forest areas of the Punjab in order to ensure adequate supplies of raw materials to sustain a fullfledged newsprint mill. The question of establishing a newsprint mill based on indigenous raw materials there, if at all, is thus only a long term possibility. In these circumstances, the Government do not envisage in the near future the establishment of a newsprint mill based on the forest resources of the Beas Basin.

European Common Market

828. { **Shri Ram Krishan Gupta:** / **Shri D. C. Sharma:**

Will the Minister of **Commerce and Industry** be pleased to refer to the reply given to Starred Question No. 34 on the 10th February, 1959 and state:

(a) whether Government have since assessed the situation arising out of

the formation of European Common Market,

(b) if so, the result of the assessment, and

(c) its effect on our export earnings?

The Minister of Commerce (Shri Kanungo): (a) to (c) Since February 1959, there have been no developments which would permit a more precise assessment being made The process of consultations is, however continuing

Study of Small Scale Industries in Japan

829. { **Shri Ram Krishan Gupta:** **Shri Bhakt Darshan:**

Will the Minister of **Commerce and Industry** be pleased to refer to the reply given to Unstarred Question No 2152 on the 19th March, 1959 and state at what stage stands the question of sending a delegation to Japan to study the organisation and financial structure of small scale industries in that country?

The Minister of Industry (Shri Manubhai Shah) The question of sending the delegation to Japan will be finalised after considering the reports of the Delegation of Bankers who studied the structure of financing small scale industries in Japan on their way back from U S A and of the Seminar of Bankers held recently at Hyderabad

Export of Leather Goods

830. **Shri Ram Krishan Gupta:** Will the Minister of **Commerce and Industry** be pleased to state

(a) whether it is a fact that Government is considering a proposal to grant special concession in income tax based on export performance of leather goods as an incentive for the exports of leather goods, and

(b) if so, at what stage the proposal stands?

The Deputy Minister of Commerce and Industry (Shri Satish Chandra): (a) No, Sir

(b) Does not arise

Loss of Man-Days

831. **Shrimati Ila Palchoudhuri:** Will the Minister of **Labour and Employment** be pleased to state·

(a) whether it is a fact that there has been a deterioration in the position in respect of man-days lost during the year 1958 as compared to 1957,

(b) if so, to what extent; and

(c) the steps taken, if any, to prevent further deterioration and to improve the situation?

The Deputy Minister of Labour (Shri Abid Ali): (a) and (b)

No of Man-days lost in 1957	64,29,319
No of Man-days lost in first half of 1958	47,01,136
No of Man-days lost in second half of 1958	30,96,449
	77,97,585

(c) The Code of Discipline in Industry which was ratified by all India Organisations of Employers and Workers and came into effect from 1st June, 1958 appears to have assisted in improving the situation in the latter half of 1958

Textile Industry

832. { **Shri Shree Narayan Das:** **Shri Radha Raman.**

Will the Minister of **Commerce and Industry** be pleased to state the present position with regard to production, stocks, off-take and cost structure of the textile industry?

The Minister of Commerce (Shri Kanungo): Statements showing production, off-take and stocks of mill-made cloth and yarn are placed on the Table. [*See* Appendix II, annexure

No. 50] The Government have not recently made any inquiry into the cost structure of the cotton textile industry

Carbon Black

833. { Shri Subodh Hansda: / Shri S. C. Samanta:

Will the Minister of Commerce and Industry be pleased to refer to the reply given to Starred Question No 1575 on the 31st March, 1959 and state:

(a) whether the report of the Rumanian experts for exploring the possibilities of manufacturing carbon black in India has since been examined; and

(b) if so, the main recommendations made by them?

The Minister of Industry (Shri Manubhai Shah): (a) and (b) The report of the Rumanian organisation covers the production of different grades of Carbon Black The report has been examined by the Government and further consideration has been deferred pending investigations of the availability of the raw materials proposed cost of production and market demand

Tobacco

834. { Shri Barman: / Shri S. C. Samanta: / Shri Subodh Hansda:

Will the Minister of Commerce and Industry be pleased to state·

(a) the quantity of tobacco exported in 1958-59 through private trade and through the State Trading Corporation;

(b) the varieties of tobacco for which there is demand in the export market; and

(c) the varieties of tobacco which are imported at present?

The Deputy Minister of Commerce and Industry (Shri Satish Chandra): (a)

	Qty. (in lbs.)	Value (in Rs.)
(i) Exports through private trade	lakhs 837 3	lakhs 380
(ii) Exports through State Trading Corporation	183 0	88
Total	1020 3	468

(b) (i) Virginia fluecured

(ii) Virginia Suncured

(iii) Natu (country) Suncured.

(c) The chief varieties which are imported at present are

(i) Virginia type tobacco

(ii) Pipe tobacco

43rd Session of I.L.O.

835. { Shri D C. Sharma: / Shri S M. Banerjee: / Shri Tangamani: / Shri Muhammed Elias:

Will the Minister of Labour and Employment be pleased to state

(a) whether it is a fact that the 43rd Session of I L O was held in Geneva in June, 1959,

(b) if so, the names of the organisations from which workers' representatives were included in the Indian delegation

(c) whether Government have received any complaint from the All India Trade Union Congress in regard to the selection of workers' representatives·

(d) if so the reaction of Government thereto, and

(e) the nature of the report submitted by the Indian delegation?

The Deputy Minister of Labour (Shri Abid Ali): (a) Yes.

(b) The Indian National Trade Union Congress.

(c) Yes.

(d) The complaint is without substance. The All India Trade Union Congress had also lodged a complaint with the I.L.O. This was referred to its Tripartite Credentials Committee and was unanimously rejected.

(e) The report of the delegation has not yet been received.

Sample Count of Population

836. Shri D. C. Sharma: Will the **Prime Minister** be pleased to refer to the reply given to Unstarred Question No. 2540 on the 31st March, 1959 and state the latest position with regard to taking a sample count of population between March and April every year to determine the growth and migration of the population in the country?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): It has been decided to undertake the sample count every year but the best time of the year in which it should be taken has yet to be determined in the light of the experience gathered on the basis of sample censuses being organised in various States at different times during 1959.

Spot Verification of Claims of Displaced Persons

837. Shri D. C. Sharma: Will the Minister of **Rehabilitation and Minority Affairs** be pleased to refer to the reply given to Starred Question No. 1809 on the 14th April, 1959 and state the further progress made with regard to the 'On the Spot' verification of claims of displaced persons?

The Deputy Minister of Rehabilitation (Shri P. S. Naskar): There has been no further progress.

Employment Exchanges

838. Shri D. C. Sharma: Will the Minister of **Labour and Employment** be pleased to refer to the reply given to Starred Question No. 377 on the 18th February, 1959, and state the progress made in different aspects of the Four-Point programme formulated to improve the services by Employment Exchanges during 1959, so far?

The Deputy Minister of Labour (Shri Abid Ali): A statement is laid on the Table. [*See* Appendix II, annexure No. 51].

Visitors from Pakistan to India and *Vice Versa*

839. Shri D. C. Sharma: Will the **Prime Minister** be pleased to state:

(a) the number of Pakistani nationals from East and West Pakistan separately who visited India during the year 1959 (upto the 30th June, 1959); and

(b) the number of Indians who visited East and West Pakistan separately during the same period?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): (a) 272463 and 27805 Pakistan nationals visited India from East Pakistan and West Pakistan respectively during the period from 1st January to 30th June, 1959.

(b) 68,541 and 44,360 Indian nationals visited East and West Pakistan respectively during the same period.

Emporia for the Sale of Handloom and Small Scale Industries Products

840. Shri D. C. Sharma: Will the Minister of **Commerce and Industry** be pleased to state:

(a) the number of emporia opened so far outside India for the sale of handloom and small scale industries products; and

(b) their locations?

The Minister of Industry (Shri Manubhai Shah): (a) and (b). Five emporia have so far been opened for the sale of handloom cloth under the external marketing scheme of the All

India Handloom Board at the following places outside India;

1. Singapore	at 23, Race Course Lane, Singapore No. 8 (Malaya).
2. Kuala Lumpur	at 69, Ampang Road, New M. C. A. Buildings, Kuala Lumpur (Malaya).
3. Bangkok	at 1070, New Road, Nal Lert Building, Bangkok, (Thailand).
4. Colombo	at No. 7, Sea Street, Colombo—11. (Ceylon).
5. Aden	at Bohra Bazar, Crater, Aden.

For the sale of small scale industries products, no emporia have so far been opened in any country outside India.

Drainage System in Delhi

841. **Shri D. C. Sharma:** Will the Minister of **Works, Housing and Supply** be pleased to refer to the reply given to Starred Question No. 1570 on the 31st March, 1959 and state which of the recommendations of the Committee of Inquiry regarding inefficient working of the drainage system in Delhi have been accepted by Government?

The Minister of Works, Housing and Supply (Shri K. C. Reddy): All the recommendations, made by the Committee for planning measures against floods and similar calamities in Delhi, have been accepted by Government, subject to the following conditions:

(i) The work included in Phases I and II may be sanctioned for implementation in the financial years 1959-60 and 1960-61, respectively;

(ii) The works included in Phase III should be examined in consultation with the Planning Comimsssion and implemented in the Third Five-Year Plan period.

Indians Deported from Khulna

842. **Shri D. C. Sharma:** Will the **Prime Minister** be pleased to refer to the reply given to Starred Question No. 403 on the 18th February, 1959 and state:

(a) whether any further effort was made in regard to the re-entry into Pakistan of about 200 Indian nationals who were deported from **Khulna,** (East Pakistan);

(b) if so, the nature thereof; and

(c) the result achieved?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): (a) to (c). There has been no further correspondence with the Government of Pakistan on the subject.

In their last reply, the Pakistan Government alleged that the Indian nationals had entered Pakistan illegally and were deported because they did not possess passports and visas. The State Government of Uttar Pradesh has been asked to furnish passport and visa particulars of the deportees. On receipt of these particulars, and matter will be taken up with the Pakistan Government again.

Allotment of Waqf Properties

843. **Shri Ajit Singh Sarhadi:** Will the Minister of **Rehabilitation and Minority Affairs** be pleased to refer to the reply given to Starred Question No. 23 on the 10th February, 1959 and state:

(a) the names of schools, colleges and hospitals etc. to which Waqf properties of non-religious character have been allotted in Punjab uptil now; and

(b) the terms on which this allotment has been made?

The Deputy Minister of Rehabilitation (Shri P. S. Naskar): (a) 25 such properties have been allotted to educational and cultural institutions. A list showing the names of such institutions is laid on the Table of the Sabha. [*See* Appendix II, annexure No. 52].

(b) These properties have been leased to the institutions on nominal rent on long term basis subject to the condition that the allottees will be responsible for their proper repair and maintenance.

Survey of Employment Opportunities

844. Shri Shivananjappa: Will the Minister of Labour and Employment be pleased to state:

(a) whether Government have undertaken a Survey of employment opportunities created in the first three years of the Second Five Year Plan, and

(b) if so, the main features of the survey?

The Deputy Minister of Labour (Shri Abid Ali): (a) A Survey has been undertaken of the increase in employment in the public sector since the beginning of the Second Five Year Plan upto 31st December, 1958

(b) Information was called for from all establishments under the Central and State Governments, Local Bodies and Quasi Government establishments regarding the number of persons employed on 31st March, 1956 and 31st December, 1958 The data received is being analysed

Industries in Bombay

845 Shri Pangarkar: Will the Minister of Commerce and Industry be pleased to state

(a) whether any of the industries in Bombay State have already reached the targets for capacity set under the Second Five Year Plan, and

(b) if so, the names thereof?

The Minister of Industry (Shri Manubhai Shah): (a) and (b) The targets for capacity in the various industries have been fixed in relation to the overall development in the country during the Second Five Year Plan period. It is difficult to fix realistic targets on a State-wise basis as the development of local areas are by and large left to the initiative of entrenpreneurs apart from developments taking place in the public sector in these areas.

दक्षिण अफ्रीका में भारतीय बच्चे

८४६. **श्री बाजपेयी** : क्या प्रधान मंत्री ३ मार्च, १९५९ के तारांकित प्रश्न संख्या ८६६ के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि :

(क) क्या उन १५०० भारतीय बच्चों के सम्बन्ध में, जिन्हें दक्षिण अफ्रीका की सरकार ने शरीरबन्धक रखा हुआ है, समाचारपत्रों में प्रकाशित खबरों की वास्तविकता का पता लगाने में सफलता मिली है ;

(ख) यदि हां, तो इस बारे में तथ्य क्या है , और

(ग) इस सम्बन्ध में सरकार की प्रतिक्रिया क्या है ?

प्रधान मन्त्री तथा वैदेशिक-कार्य मंत्री (श्री जवाहरलाल नेहरू) (क) जी नहीं। पिछले मार्च महीने में लन्दन में भारतीय हाई कमिश्नर इस की कोशिश कर रही हैं कि वहां के अपने दक्षिण अफ्रीकी सहयोगियों से उन्हें इस सम्बन्ध में सही सूचना मिल जाय। दक्षिण अफ्रीकी हाई कमिश्नर ने २४ मार्च, १९५९ को पत्र मिलने की सूचना तो भेजी थी पर अभी तक कोई उत्तर नहीं दिया।

(ख) समाचार एजेंसी की रिपोर्टों के अनुसार ट्रांसवाल के शिक्षा-निर्देशक ने स्थिति इस प्रकार बतलाई थी :

"पिछले वर्ष की समाप्ति पर न्यूक्लेयर स्कूल में १९५० विद्यार्थी थे। इस स्थिति को थोड़ा सुविधाजनक बनाने के लिये और न्यूक्लेयर को काले लोगों का क्षेत्र (कलर्ड एरिया) घोषित कर दिये जाने के कारण, दूसरे-तीसरे-चौथे और पांचवे स्टैन्डर्ड में पढ़ने वाले भारतीय विद्यार्थियों को १९५९ का पहला सत्र (फ़र्स्ट टर्म) शुरू होने पर

लेनाशिया भेज दिया जायगा । इन विद्यार्थियों को न्यूक्लेयर से सीधे लेनाशिया के स्कूल तक पंद्रह मील बस द्वारा भेजने का इन्तजाम कर दिया गया है । इस प्रकार, उन्हें रेलवे स्टेशन तक पैदल आना-जाना नहीं पड़ेगा । पहले और दूसरे ग्रेड तथा पहले स्टैंडर्ड के जो भारतीय विद्यार्थी न्यूक्लेयर में रहते हैं, वे फिलहाल न्यूक्लेयर स्कूल में ही रहेंगे ।"

(ग) जब तक ऊपर (ख) में बताई गई स्थिति का खंडन नहीं किया जाता, तब तक यह प्रश्न नहीं उठता ।

Hindustan Antibiotic Ltd, Pimpri

847. Shri Vidya Charan Shukla: Will the Minister of **Commerce and Industry** be pleased to refer to the reply given to Starred Question No 1239 on the 16th March, 1959 and state:

(a) whether the consideration by the Board of Directors of the Hindustan Antibiotic Ltd, Pimpri of the representations on some other demands has been completed, and

(b) if so, with what result?

The Minister of Industry (Shri Manubhai Shah): (a) and (b) The representations referred to in the reply given to Starred Question No 1239 in the Lok Sabha on the 16th March, 1959 relate to the demands of the Hindustan Antibiotic Mazdoor Sangh, Pimpri for revision of pay scales of the lower income group of workers of the Company. As a result of discussions between the Management and the Union it has been agreed that the latter will submit in writing, a formal proposal in this behalf on terms mutually agreed upon The formal proposal of the Union has not yet been submitted to the Management.

Tenements in Rajabagicha (Cuttack)

848. Shri Panigrahi: Will the Minister of **Works, Housing and Supply** be pleased to refer to the reply given to Unstarred Question No. 2704 on the 3rd April, 1959 and state:

(a) whether electric power has since been supplied to the one-roomed single storeyed tenements at Rajabagicha (Cuttack); and

(b) if not, by which time the arrangements are expected to be finally completed?

The Deputy Minister of Works, Housing and Supply (Shri Anil K. Chanda): (a) and (b). The Orissa Government have since intimated that the internal wiring installation of the industrial housing colony at Rajabagicha is complete, except for service connection and that the area comes within the jurisdiction of Cuttack Electric Supply & Co. and State owned L.T. distribution line does not exist in this area

They have further stated that steps are being taken to supply power to the Labour Colony at Rajabagicha as early as possible

Export of Iron Ore

849 Shri Panigrahi: Will the Minister of **Commerce and Industry** be pleased to refer to the reply given to Starred Question No 1655 on the 3rd April, 1959 and state:

(a) whether the State Trading Corporation purchased any amount of iron ore from the Orissa Mining Corporation during the years 1957-58, 1958-59 and 1959-60 so far, for export through Paradip port;

(b) if so, the amount of iron ore purchased from the Orissa Mining Corporation during the above period; and

(c) whether the State Trading Corporation is purchasing iron ore from any private mine owner for export through Paradip port?

The Deputy Minister of Commerce and Industry (Shri Satish Chandra): (a) No, Sir.

(b) Does not arise.

(c) No, Sir.

Out-Posts on Sylhet-Cachar Border

850 Shri Ajit Singh Sarhadi: Will the **Prime Minister** be pleased to state:

(a) whether any new out-posts are being set-up near the Sylhet-Cachar border;

(b) if so, the reasons therefore; and

(c) the total expenditure for setting up these out-posts?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): (a) to (c). It would not be in public interest to disclose the details of these border protection arrangements

Coal Field Recruiting Organisation

851 Shri T. B. Vittal Rao: Will the **Minister of Labour and Employment** be pleased to state

(a) whether the Government of India have received any representation from the General Secretary, Indian National Mine Workers Federation regarding the extension of the Coal-field Recruiting Organisation to the Chapin Khas Colliery (Sahu and Jain concern) Ramganj Coal belt; and

(b) if so, the steps taken to stop this extension?

The Deputy Minister of Labour (Shri Abid Ali): (a) No

(b) Does not arise.

Statistical Quality Control

852. Shri Keshava: Will the **Prime Minister** be pelased to state·

(a) the decisions arrived at the Statistical Quality Control Conference held at Calcutta in December, 1958, and

(b) whether any of them has been accepted by Government?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): (a) This Conference was not intended to take decisions Its object was to provide an opportunity to those interested in Statistical Quality Control to review progress and exchange experience regarding organisation and techniques.

(b) Does not arise. A brief summary of the proceedings of the Conference is laid on the Table of the House [*See* Appendix II, annexure No 53]

Compensation to Displaced Persons

853 Shri Keshava: Will the **Minister of Rehabilitation and Minority Affairs** be pleased to state the total amount of compensation paid to displaced persons in India so far?

The Deputy Minister of Rehabilitation (Shri P. S Naskar): An amount of Rs 1,14,08,63 472 has been paid as compensation against verified claims to the displaced persons from West Pakistan upto the 30th June, 1959 as follows:—

(i) By Cash Rs 54,54,18,951.

(ii) By transfer of properties Rs 41,16,12,150

(iii) By adjustment of public dues Rs. 18,38,82,371.

Nav-Vidhan Audyogik Sahakari Mandal

854 Shri Assar: Will the **Minister of Commerce and Industry** be pleased to state·

(a) whether it is a fact that Nav-Vidhan Audyogik Sahakari Mandal was started in Poona in the year 1956 to manufacture Radio transformers;

(b) if so, what is the output from 1956 to the 30th April, 1959;

(c) whether Government have given any loan to the above Mandal to start their production;

(d) if so, the amount given and how much of it has been recovered uptill now;

(e) whether it is also a fact that the Mandal is running at heavy loss; and

(f) if so, what is the loss and the steps taken by Government?

The Minister of Industry (Shri Manubhai Shah): (a) to (f). A statement is laid on the Table of the House. [*See* Appendix II, annexure No. 54].

Films Division

855. **Shri Bibhuti Mishra**: Will the Minister of **Information and Broadcasting** be pleased to state:

(a) the expenditure incurred on the Films Division in 1958-59;

(b) the number of documentary films produced;

(c) the amount spent on the staff; and

(d) the amount spent on production of films excluding the staff during this year?

The Minister of Information and Broadcasting (Dr. Keskar): (a) Rs. 73,98,712.

(b) 101.

(c) Rs. 22,74,801.

(d) Rs. 45,39,601.

Slum Clearance in U.P.

856. **Shri S. M. Banerjee**: Will the Minister of **Works, Housing and Supply** be pleased to state:

(a) what amount has been allotted to U.P. for slum clearance scheme for Kanpur during 1958-59; and

(b) the total amount likely to be sanctioned during the remaining period of the Second Five Year Plan?

The Minister of Works, Housing and Supply (Shri K. C. Reddy): (a) and (b). The U.P. Government allocated a sum of Rs. 43 lakhs to Kanpur under the Slum Clearance Scheme during 1958-59. A further sum of Rs. 68 lakhs is likely to be allocated by them to Kanpur during the remaining period of the 2nd Five Year Plan.

National Productivity Council Delegations Abroad

857. { **Shri Muhammed Elias**: **Shri Aurobindo Ghosal**:

Will the Minister of **Commerce and Industry** be pleased to state:

(a) how many delegations will be sent abroad by the National Productivity Council in the years 1959 and 1960;

(b) which countries will be visited by them;

(c) what amount has been given by the Technical Co-operation Mission of the U.S.A. for this purpose; and

(d) whether any terms and conditions are imposed by the Technical Co-operation Mission of America on this amount?

The Minister of Industry (Shri Manubhai Shah): (a) Provision exists for sending seven teams in 1959 and 15 teams in 1960.

(b) Itineraries of the teams so far finalised cover Italy, U.S.A. Japan, Switzerland, West Germany, France, Sweden, Holland and the U.K.

(c) The Technical cooperation Mission of the U.S.A. will meet all foreign exchange expenditure of these Teams on international travel and per-diem allowance, amounting approximately to $ 1,94,250.

(d) None.

Central Public Works Department

858. **Shri Tangamani**: Will the Minister of **Works, Housing and Supply** be pleased to state:

(a) whether it is a fact that the Ajmer Central Division, Simla Central Division and U.P. Central Public Works Division of the Central Public Works Department have Electrical sub-Division attached to them; and

(b) if so, the reasons therefor?

The Minister of Works, Housing and Supply (Shri K. C. Reddy): (a) Yes.

(b) For administrative convenience.

Production of Fertilizers

859 Shri Bibhuti Mishra: Will the Minister of Commerce and Industry be pleased to state.

(a) whether it is a fact that the cost of production of fertilizers produced by various factories in the country differ greatly, and

(b) if so, the reasons thereof?

The Deputy Minister of Commerce and Industry (Shri Satish Chandra): (a) Yes, Sir

(b) The cost of production varies among other factors due to the difference in

(i) the size of the units,

(ii) the processes adopted,

(iii) the raw materials used and distances involved,

(iv) cost of electric power generated or purchased etc

T.B Hospital at Hyderabad

860 { **Shri Kunhan:** / **Shri T B Vittal Rao**

Will the Minister of **Labour and Employment** be pleased to state

(a) the reasons for delay in the reservation of five beds for the coal miners of Andhra Pradesh in the T B Hospital at Hyderabad by the Coal Mines Welfare Fund Organisation.

(b) whether Government are aware of the hardship experienced by workers suffering from tuberculosis, and

(c) when the arrangements for the reservation is likely to be finalised?

The Deputy Minister of Labour (Shri Abid Ali): (a) to (c) There has been requested to complete the tion of necessary orders to the hospital authorities from the State Government. The State Government has been requested to complete the arrangements urgently

Allocation to Hyderabad

861 Shri M. Rampure: Will the Minister of Planning be pleased to state:

(a) the total amount allotted to the erstwhile Hyderabad State in the Second Five Year Plan,

(b) how this amount was re-allocated in 1956 when the State was bifurcated at the time of re-organisation of States,

(c) the share of the amount allotted to the districts of Gulbarga, Bidari and Raichur forming the Hyderabad-Karnatak area of the present Mysore State, when these districts were transferred to the Mysore State, and

(d) out of the total amount allotted to these districts, how much money has been spent so far, for the development of this area?

The Deputy Minister for Planning (Shri S N Mishra). (a) Rs 100 21 crores

(b) The outlay under the State Plan was divided after taking into consideration population area, location of specific projects etc and in consultation with all concerned

(c) The share of the Hyderabad Karnataka area in the total Plan outlay of former Hyderabad was Rs 18 62 crores

(d) Figures of expenditure incurred for the development of this area are not available separately

Cement Production

862. Shrimati Ila Palchoudhuri: Will the Minister of Commerce and Industry be pleased to state

(a) whether it is a fact that the production of cement in India has exceeded the demand, and

(b) if so, by how much?

The Minister of Industry (Shri Manubhai Shah): (a) and (b). The present monthly rated capacity of the cement factories in the country is

6,80,000 tons while the monthly demand for cement is of the order of 8,10,000 tons. The current average monthly production, however, is about 6,00,000 tons

Nepa Newsprint Factory

868. **Pandit Munishwar Dutt Upadhyay:**
Shri M. L. Dwivedi:

Will the Minister of Commerce and Industry be pleased to state

(a) whether it is a fact that the Nepa Newsprint factory has made profit during 1958-59, and

(b) if so, whether there has been any reduction in the price of news print as a result thereof?

The Minister of Industry (Shri Manubhai Shah): (a) The accounts for the year 1958-59 have not yet been finalised

(b) There has been no reduction in price

Factories Act, 1948

864. Shri K. N. Pandey. Will the Minister of Labour and Employment be pleased to state

(a) whether the Factories Act, 1948 is applicable to the workers employed on construction works; and

(b) if not, the steps taken to regulate the safety of workers employed on construction works involving digging, mounting upon walls and working with the help of scaffolds?

The Deputy Minister of Labour (Shri Abid Ali): (a) No

(b) Draft regulations for the safety, health and welfare of labour employed in works of engineering construction have been framed and are being finalised in consultation with the authorities concerned

Pashmina Wool

865. Shri Hem Raj: Will the Minister of Commerce and Industry be pleased to state

(a) the names of the countries which produce Pashmina Wool, and

(b) the quantity of Pashmina Wool imported from those countries annually?

The Minister of Commerce (Shri Kanungo): (a) Tibet

(b) Precise figures are not available but average annual imports are estimated to be of the order of 4,000 maunds

Amenities for Bhusandapur Colony

866 Shri Panigrahi. Will the Minister of Rehabilitation and Minority Affairs be pleased to state

(a) whether the displaced persons now settled in Bhusandapur Colony in Orissa have represented to Government for establishing a high school and a hospital in the Colony,

(b) whether Government have any such proposal under their consideration, and

(c) if so, by what time these proposals are likely to be implemented?

The Deputy Minister of Rehabilitation (Shri P S Naskar): (a) Yes

(b) and (c) A health centre has already been sanctioned by this Ministry, and the construction of the building is in progress

The State Government is considering the proposal to set up a high school

पाकिस्तान में पशुओं का निर्यात

६७. **श्री प्रकाश वीर शास्त्री**
श्री बाजपेयी :

क्या वाणिज्य तथा उद्योग मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या हाल ही में कुछ पशु भारत से पाकिस्तान निर्यात किये गये थे, और

(ख) यदि हां, तो कौन निर्यात किये गये थे और उन की संख्या कितनी है ?

वाणिज्य तथा उद्योग उपमंत्री (श्री नित्यानन्द कानूनगो) (क) जी हां ।

(ख) लगभग ८७ हजार रु० मूल्य के ६ घोड़े पश्चिमी पाकिस्तान को जनवरी से मई १९५९ की अवधि में निर्यात किये गये थे ।

Displaced Persons in Tripura

868. Shri Dasaratha Deb Will the Minister of **Rehabilitation and Minority Affairs** be pleased to state

(a) the total number of litigations that have been started in respect of lands allotted to displaced persons rehabilitated in the colonies of Tripura

(b) the total number of displaced persons who got punishment in such litigations

(c) whether the Tripura Administration bears litigation costs in such cases, and

(d) if not what are the reasons for not bearing litigation costs in these cases?

The Deputy Minister of Rehabilitation (Shri P S Naskar) (a) 88

(b) 9

(c) Yes, in all deserving cases, where litigations have arisen directly from allotments of land made by Tripura Administration

(d) Does not arise

Wool Tops

869 Shri Hem Raj. Will the Minister of **Commerce and Industry** be pleased to state

(a) the number of wool tops produced in the country and imported from foreign countries for the manufacture of wool yarn during the period from 1957 to 1959

(b) whether it is a fact that the All India Woollen Spinners' Association has asked for the setting up of a spinning mill for this purpose in Punjab, and

(c) if so, the steps Government propose to take in the matter?

The Minister of Commerce (Shri Nityanand Kanungo): (a) Wool tops are not produced in the country Imports of wool tops during the period 1957 to 1959 is given in the statement below

(b) and (c) The Association has made a proposal to the Textile Commissioner for setting up a wool combing plant which is under consideration

STATEMENT

Statement showing the quantity and values of wool tops imported from foreign countries during the years 1957 to 1959 (January April

Year	Quantity (in lbs	Value in rupees)
1957	1 62 00 000	11 23,00,000
1958	1,58,00,000	9 55,00,000
1959 (January April)	57 00 000	2 90,00,000 (approximate ly)

Import Quota of Calcium Carbide

870 Shri Aurobindo Ghosal Will the Minister of **Commerce and Industry** be pleased to state

(a) whether it is a fact that the import quota of Calcium Carbide has been reduced this year and

(b) if so by what quantity and why?

The Minister of Commerce (Shri Kanungo). (a) Yes, Sir

(b) the quota has been reduced from 25 per cent to 15 per cent, i.e, approximately from 5,000 to 3,000 tons during April-September, 1959 licensing

period in order to conserve foreign exchange and to prevent accumulation of stocks with the indigenous producers.

Expenditure on Second Five Year Plan

871. Shri M. B. Thakore: Will the Minister of Planning be pleased to state.

(a) whether it is a fact that the Second Five Year Plan expenditure in U P State is lagging far behind the schedule, and

(b) if so, the reasons therefor?

The Deputy Minister for Planning (Shri S N. Mishra): (a) No

(b) Does not arise

Compensation for Lands owned by Indians in Burma

872. Shri Subbiah Ambalam Will the **Prime Minister** be pleased to state

(a) the amount of compensation that is due to be paid by the Burma Government to Indian nationals as compensation for the lands owned by them,

(b) whether negotiations have been carried on for early payment of compensation, and

(c) if so, the result thereof?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru). (a) The Land Nationalisation Department of the Government of Burma does not maintain nationality-wise statistics of the lands resumed by them No authentic information of the total compensation due to Indian nationals is therefore available

(b) and (c) The award of compensation for the resumed lands, and its payment in accordance with the due processes of law, necessarily involves some time The Burmese law on the subject does not discriminate between Indian land owners and others in this matter All claims duly supported by valid documents, and otherwise in order, are paid as soon as the legal formalities have been completed. The Government of India had, therefore, no occasion to undertake negotiations for the early payment of these claims

Indians in Shanghai

873. Raja Mahendra Pratap: Will the **Prime Minister** be pleased to state:

(a) whether it is a fact that some Indians are still stranded in Shanghai,

(b) if so, their number, and

(c) what arrangements Government have made to help them?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): (a) Some Indians are still in Shanghai, but as far as the Government is aware none of them are stranded

(b) Seventy-nine

(c) Does not arise

Indian Delegation sent Abroad

874. Shri Pahadia: Will the **Prime Minister** be pleased to state

(a) how many delegations were sent abroad during the year 1958-59,

(b) whether this number is more than in the preceding year,

(c) if so, whether the expenditure is also more, and

(d) whether all the delegations were official or non-official?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru). (a) to (d) Information is being collected and will be placed before the House

Production of Silk Yarn

875. Shri Shankaraiya: Will the Minister of **Commerce and Industry** be pleased to state·

(a) the installed capacity of Silk filatures in different States;

(b) the quantity of Silk Yarn produced by them during the last three years;

(c) the steps taken to have maximum production of silk yarn; and

(d) the steps taken to raise the standard of filature silk yarn to international standards?

The Minister of Industry (Shri Manubhai Shah): (a) and (b). A statement is placed on the Table. [See Appendix II, annexure No. 55].

(c) The various schemes which are being implemented in the States are designed to achieve maximum production of raw silk in India

(d) Since the quality of filature raw silk depends mainly on the quality of cocoons, the State Governments have undertaken schemes intended to bring about improvement in the quality of cocoons by selection of suitable races of silk worms and mulberry besides modernisation of the filature machinery.

Conference of Rehabilitation Ministers

876. { Shri S. A. Mehdi: / Shri Hem Raj: / Shri Ajit Singh Sarhadi: / Shri Sadhan Gupta: }

Will the Minister of Rehabilitation and Minority Affairs be pleased to state:

(a) whether a Conference of Rehabilitation Ministers was held at Srinagar during July, 1959; and

(b) the decisions taken by Government at that Conference?

The Deputy Minister of Rehabilitation (Shri P. S. Naskar): (a) and (b) A conference of Rehabilitation Ministers was held at Srinagar in the last week of June 1959. This conference was held mainly to consider the residual problems relating to the rehabilitation of displaced persons from West Pakistan and to plan out the completion of that task, if possible, by the end of the current financial year. No far reaching decisions were thus required to be taken at the conference. Its deliberations consisted primarily of the consideration of the residuary problems of the Ministry and steps to be taken to expedite their disposal and to remove bottlenecks or obstacles in the process.

Training within Industry Scheme

877. **Shri P. K. Deo:** Will the Minister of Labour and Employment be pleased to state:

(a) the number of supervisors of the various industries who have been trained under the "Training Within Industry Scheme" sponsored by Government; and

(b) how many of them belong to industries in private sector and in public sector?

The Deputy Minister of Labour (Shri Abid Ali): (a) The Bombay Centre has so far trained 173 training officers from various establishments, who have in turn trained about 37,000 supervisors in Training-within-Industry programmes of job instruction, job method and job relations.

(b) Of the 173 training officers so far trained, 141 are from the private sector and the remaining 32 from the public sector. The breakdown of the number of supervisors trained by these training officers in their respective sectors is not available.

Public Sector Industries Conference

878. { Shri Tangamani: / Shri T. B. Vittal Rao: }

Will the Minister of Labour and Employment be pleased to state:

(a) whether any date has been fixed for convening the adjourned meeting of the Public Sector Industries Conference held on the 21st January, 1959, and

(b) if so, the venue, date and agenda of the Conference.

The Deputy Minister of Labour (Shri Abid Ali): (a) The Public

Sector Conference was of ad hoc nature and completed the agenda which was placed for its consideration.

(b) Does not arise.

Consulates of India in the Middle East

879. Shri S. A. Mehdi: Will the Prime Minister be pleased to state:

(a) how many new Consulates have been opened in the Middle East by India during 1959 so far;

(b) the names of the countries where they have been opened; and

(c) the reasons therefor?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): (a) None.

(b) and (c). Do not arise.

Expenditure on Indian Embassies

880. Shri Daljit Singh: Will the Prime Minister be pleased to state:

(a) the expenditure incurred on the Indian Embassy office in U.S.S.R., U.S.A. and Japan during 1958-59;

(b) whether there has been any increase in the expenditure of that year as compared to the previous year; and

(c) if so, the reasons therefor?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): (a) and (b). The final booked figures of expenditure for 1958-59 are not yet known as the accounts have not been finally closed. The comparative position of the actuals for 1957-58 and the departmental figures of actuals for 1958-59 in respect of the grants controlled by the Ministry of External Affairs is as follows:

	Countries	1957-58	1958-59	Excess (+) or Saving (—)
		Rs.	Rs.	Rs
1.	U.S.S.R (Embassy of India, Moscow)	10,55,467	8,41,862	(—) 2,13,605
2	U.S.A (Embassy of India, Washington Information Section, Washington; Consulate-General, New York; Information Section, New York, and Consulate-General, San Francisco	48,12,383	47,70,158	(—) 42,225
3	Japan (Embassy of India, Tokyo, Information Section, Tokyo, and Consulate of India, Kobe)	9,05,266	9,45,428	(+) 40,162

(c) There has been no increase in expenditure on the offices in U.S.S.R., and U.S.A. The small increase of Rs. 40,162 in Japan is due to the following reasons:

(i) More expenditure on cost of passages, outfit allowance, transfer grant etc. due to transfers.

(ii) Additional expenditure on travelling allowance payable to officers and staff of the Mission on account of the President's visit.

(iii) Upward revision in the rates of foreign allowance with effect from 1-12-1957.

Import of Watches and Clocks

681. Shri Daljit Singh: Will the Minister of Commerce and Industry be pleased to state:

(a) the value of watches and clocks imported during 1959 so far;

(b) whether the import of clocks and watches has been banned; and

(c) if so, the reason thereof and its effect on the market?

The Minister of Commerce (Shri Kanungo): (a) The value of watches and clocks imported during January-May 1959 are as follows:

Watches	Rs	45,000
Clocks	Rs	370,000
TOTAL	Rs	415,000

(b) Yes, Sir

(c) The ban has been imposed on the import of watches and clocks on account of foreign exchange consideration. With the imposition of ban on their import, the prices of watches and clocks showed an upward trend But recently the prices of clocks have gone down appreciably.

Nangal Fertilisers and Chemicals Ltd.

682. Shri Daljit Singh: Will the Minister of Commerce and Industry be pleased to state:

(a) the number of employees (Class-wise) in the Nangal Fertilizers and Chemicals Limited, Naya Nangal at present, in all the departments;

(b) the number among them belonging to oustees (Class-wise);

(c) the number among them belonging to Scheduled Castes in all the departments (Class-wise);

(d) whether it is a fact that no preference is being given at the time of selection to candidates belonging to the Scheduled Castes;

(e) if so, the reason therefor; and

(f) the action being taken by Government in this regard for the welfare of the Scheduled Castes?

The Deputy Minister of Commerce and Industry (Shri Satish Chandra): (a) to (c). A statement is laid on the Table. [*See* Appendix II, annexure No 56].

(d) to (f). The Government have issued a directive for the observance of the communal reservation orders applicable to Government Departments and the Company is following them to the extent possible

Export of Zardozi Handbags to Czechoslovakia

684. Shri S. A. Mehdi: Will the Minister of Commerce and Industry be pleased to state·

(a) whether it is a fact that Czech Government has placed an order for 7,000,000 zardozi handbags from U.P;

(b) if so, whether the same has been executed;

(c) whether the same was executed through State Trading Corporation; and

(d) what is the total price of the order?

The Minister of Industry (Shri Manubhai Shah): (a), (b) and (d) The Central Government does not have any information about this matter so far

(c) The State Trading Corporation has not executed any such order.

Training of Announcers by the All India Radio

685. Shri S. A. Mehdi: Will the Minister of Information and Broadcasting be pleased to state:

(a) whether it is a fact that the Railway Board had requested the All India Radio to train their Announcers and

(b) if so, how many were trained by All India Radio till July, 1959?

The Minister of Information and Broadcasting (Dr. Keskar): (a) Yes, Sir.

(b) Thirteen

Arrest of a Pakistani National

886. Shri P. C Borooah: Will the **Prime Minister** be pleased to state.

(a) whether it is a fact that a Pakistani national was arrested on the Khalra border on the 29th July, 1959;

(b) if so, the details of the incident, and

(c) whether it is a fact that a map of India and Pakistan was recovered from his person?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): (a) to (c) A report has been called for from the local authorities, and information will be laid on the Table of the House when received

Muslims from Kashmir for Haj

887. Shri P. G. Deb: Will the **Prime Minister** be pleased to state how many Muslims from Kashmir went for Haj during this year?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru). 237

Sikh Pilgrims to Pakistan

888. Shri P G. Deb: Will the **Prime Minister** be pleased to state

(a) how many Sikh pilgrims were permitted by Pakistan to visit their shrines in Lahore in June, 1959, and

(b) how many actually visited Lahore for the said purpose?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): (a) 1,000

(b) 360.

Development Council for Automobiles, Automobile Ancillary Industries and Transport Vehicle Industries

889. Shri P. G. Deb: Will the Minister of **Commerce and Industry** be pleased to state the decisions taken at the meeting of the Development Council for Automobiles, Automobile Ancillary Industries and Transport Vehicle Industries held in New Delhi in July, 1959?

The Minister of Industry (Shri Manubhai Shah): The meeting of the Development Council held in New Delhi on the 13th July, 1959 was its first meeting at which there was general discussion on the programme of work of the Council and it was decided to form the following five sub-committees who will study the different problems assigned to each and make suitable recommendations to the Council

(i) Sub-Committee to study the demand and capacity for the production of important and special components for the Automobile Industry;

(ii) Sub-Committee on Standardisation and for assessing demand for raw materials,

(iii) Sub-Committee on Price Control and Distribution of components of Automobile and Related Industries,

(iv) Sub-Committee on Quality Control and Testing, and

(v) Sub-Committee to study the cost of different vehicles

---

12 hrs.

MOTION FOR ADJOURNMENT

Reported statement by Prime Minister of Ceylon re baton-charging of certain Indian nationals by Ceylonese Police

Mr. Speaker: I have received notice of an adjournment motion from Shri Vajpayee and Shri U. L. Patil on the following subject:

"The embarrassing situation arising out of the reported statement made by the Prime Minister of

[Mr Speaker]

Ceylon that the police acted against the Indians demonstrating before the Indian High Commission on August 10, 1959 at the request of the Indian High Commissioner himself and that no official regrets have been expressed over this incident, contradicting thereby the statement made by the Prime Minister of India in Lok Sabha on August 12, 1959"

May I know what the position is?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): First of all, Sir, it is not safe for me or for the hon Member to proceed on odd sentences in a newspaper report I should like to have full reports and I should like to place before the House exactly what the Prime Minister of Ceylon has said But, apart from that, even today in two different newspapers, different accounts appear In one of the newspapers it is said Prime Minister Bandarnaike in a press statement regarding the police action on demonstrators on Monday in the Indian High Commission precincts today said, 'It is regretted that such an incident should have taken place, but it is not possible to attach blame to any one in the circumstances of the case" You see, Sir, the thing is different here

On the last occasion what I said was—I did not say something which unfortunately was given in headlines in the press, viz, "Ceylon Government expresses regret"—that when the information of this was telephoned to the Permanent Secretary of the Ceylon Government—these are my words—"he said that this episode was unfortunate and he was sorry that this should have happened in our Embassy", which is a perfectly correct remark to make To make this a kind of official regret of the Ceylon Government would not be a correct statement, but somehow this was misunderstood, and Mr. Bandarnaike, if he is given to understand by our newspapers that this was an official regret, is perfectly right in saying that as a matter of fact he is enquiring into the matter

Therefore, I would suggest that the matter really is not of high importance except for the fact that it seems to be very undesirable that Indians in foreign countries should function in a way which creates these difficulties It is an important matter They can do what they like in our country, but in a foreign country they should not function against each other, especially against our Mission which, of course, is a connecting link between our country and the other country

You will remember, Sir, that on the last occasion I said that when our High Commissioner heard that a demonstration was going to be held the next morning, he informed the External Affairs Ministry of the Ceylon Government that he had heard of this news Thereafter the DIG of Police telephoned to him and said something to the effect that he proposed sending a police force Our High Commissioner said, according to that report, that he did not think there was going to be any trouble and perhaps it would not be necessary to do this Therefore, again the DIG said that anyhow he would keep a watch Our trying to catch what somebody said during a tele phone conversation, a word here and there and the interpretation is rather difficult This is the broad impression that we got and I reported to the House

I do not think that there is anything of high importance, that is, that the Ceylon Government invaded our territory etc That is not correct It may be an action taken by a local police officer or somebody there in a hurry Of course, the whole thing lasted a minute or two

Anyhow, we must have a proper account of what the Ceylon Prime Minister said after his enquiry before we can say anything more definite about this

Shri Vajpayee (Balrampur): May I know who expressed regret to whom?

Shri Jawaharlal Nehru: I have just made out again. On our High Commissioner telephoning to the Permanent Secretary of the Ceylon Government—I do not quite know he is a member of the service there—the Permanent Secretary said (this is what I said on the last occasion) that this episode was unfortunate and he was sorry that this should have happened in our Embassy This is what I said on the last occasion

Shri Narayanankutty Menon (Mukandapuram) May I know whether the Prime Minister would be pleased to place before the House the authentic information when it is available? Apart from the newspaper report, may I know whether the Government would place on the Table of the House the statement of the Ceylon Prime Minister when available?

Shri Jawaharlal Nehru: Presumably the Ceylon Prime Minister's statement, if it is a public statement, will no doubt appear in the press fully, if it is not a public statement, then I will not be able to place it

Shri T. B. Vittal Rao (Khammam) It is a public statement

Mr. Speaker: In view of what the Prime Minister has said, I do not give my consent to the adjournment motion

12.05 hrs.

PAPERS LAID ON THE TABLE

Annual Report of Nahan Foundry Private Limited

The Minister of Industry (Shri Manubhai Shah): I beg to lay on the Table, under sub-section (1) of section 639 of the Companies Act, 1956, a copy of the Annual Report of the Nahan Foundry Private Limited for the year 1957-58 along with the Audited Accounts and comments of the Comptroller and Auditor-General thereon. [*Placed in Library, See* No. LT-1531/59]

Certified Accounts of Coir Board

Shri Manubhai Shah: I beg to lay on the Table, under sub-section (4) of section 17 of the Coir Industry Act, 1953, a copy of each of the certified Accounts of the Coir Board for the years 1955-56 and 1956-57, together with the Audit Reports thereon [*Placed in Library, See* No LT-1532/59]

Annual Report of Employees' State Insurance Corporation

The Deputy Minister of Labour (Shri Abid Ali): I beg to lay on the Table, under section 36 of the Employees State Insurance Act, 1948, a copy of the Annual Report of the Employees' State Insurance Corporation for the year 1958-59, alongwith the Revised Estimates for 1958-59 and Budget Estimates for 1959-60 [*Placed in Library, See* No LT-1533/59]

Coal Mines Pithead Bath Rules

Shri Abid Ali: I beg to lay on the Table, under sub-section (7) of section 59 of the Mines Act, 1952, a copy of the Coal Mines Pithead Bath Rules, 1959, published in Notification No S O 1711 dated the 1st August, 1959 [*Placed in Library, See* No LT-1534/59]

Amendments to Displaced Persons (Compensation and Rehabilitation) Rules

The Deputy Minister of Rehabilitation (Shri P. S. Naskar): I beg to lay on the Table, under sub-section (2) of section 40 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954, a copy of Notification No G S.R 896 dated the 1st August, 1959, making certain further amendments to the Displaced Persons (Compensation and Rehabilitation) Rules, 1955 [*Placed in Library, See* No. LT-1535/59].

12.07½ hrs.

BUSINESS OF THE HOUSE

The Minister of Parliamentary Affairs (Shri Satya Narayan Sinha): With your permission, Sir, I rise to announce Government Business for the next week will consist of:—

(1) Discussion on the Resolution approving the proclamation issued by the President assuming to himself all the functions of the Government of Kerala

(2) Further consideration and passing of the Oil and Natural Gas Commission Bill, 1959

(3) Consideration and passing of the International Monetary Fund and Bank (Amendment) Bill, 1959

(4) Discussion and voting of the Demands for Excess Grants (General) for 1956-57

(5) Consideration and passing of —

(a) The Arms Bill, 1959, as reported by the Joint Committee

(b) The Andhra Pradesh and Madras (Alteration of Boundaries) Bill, 1959

(6) Discussion on the Third Annual Report of the National Small Industries Corporation Private Limited for the year 1957-58 laid on the Table of the House on the 27th April, 1959, on a motion to be moved by Shri Harish Chandra Mathur at 3 p m on 20th August

(7) Discussion to be raised by Dr. Ram Subhag Singh and others on 21st August on the rise in foodgrains prices in the country with special reference to West Bengal where levy and price control on rice has been withdrawn.

12.08½ hrs.

STATEMENT *RE*: ACCIDENT TO KALKA-DELHI-HOWRAH MAIL

The Deputy Minister of Railways (Shri Shahnawaz Khan): I regret to inform the House of an accident to 2 Dn. Kalka-Delhi-Howrah Mail at about 23 55 hrs on 13-8-1959 near Shiusagar Road Station on the Moghalsarai-Gaya Grand Chord section of the Eastern Railway, about 52 miles from Moghalsarai While the tram was on the run between Khurmabad Block Hut and Shiusagar Road Station, the train engine and 6 bogies next to it got derailed As a result of the accident, 9 persons were injured, of whom 2 are reported to have suffered serious injuries

Necessary medical relief had been rushed to the site The injured persons were attended to by the Railway Doctors on arrival The two seriously injured persons have been sent for admission into the Gaya Civil Hospital

The transhipment of passengers of 2 Dn Mail and their luggage has been done and they have proceeded on their journey to Howrah

The General Manager, Eastern Railway, accompanied by the Government Inspector of Railways, Calcutta, and the Departmental Heads concerned left Calcutta by air at 9 00 hrs for Patna and will proceed further by road to the site of the accident The Government Inspector of Railways will hold a statutory enquiry into the cause of the accident The District Magistrate and Superintendent of Police, Arrah, have also left for the site of the accident

1 Up and 3 Up Mails and 9 Up Express have been diverted from Gaya *via* Gaya-Patna Branch line and 4 Dn Mail and other down trains will be diverted from *Moghalsarai via Main* Line and Patna-Gaya Branch.

12-09½ hrs.

CALLING ATTENTION TO MATTER OF URGENT PUBLIC IMPORTANCE

INDIAN ARMY'S ASSISTANCE DURING KASHMIR FLOODS

Shri Vajpayee: Under rule 197, I beg to call the attention of the Minister of Defence to the following matter of urgent public importance and I request that he may make a statement thereon:—

> "The assistance rendered by the Indian Army to the people of Jammu and Kashmir during the recent floods."

The Minister of Defence (Shri Krishna Menon): Mr Speaker, Sir, a statement of 'the assistance rendered by the Indian Armed Forces to the people of Jammu and Kashmir during the recent floods' has necessarily not only to be brief, but has to be largely of a general character, having regard to the fact that, as the House knows, special considerations apply to the State of Jammu and Kashmir, which is an operational area, and any statement of particulars and details while being accurate have to be governed by reasons of national security and the fact that troop dispositions and details, of course, are part of this consideration.

The armed forces positioned in the State have been available to render all possible aid, and it is gratifying to feel that their participation has been welcome to the people and the State Government. Because of the knowledge of the area and of previous years' conditions, the forces and their commanders were fully alive to the situation, and no time was lost in their becoming fully operative. Land communication had become impossible. Reconnaissance of the flooded area from the air was made very soon after the floods set in, by the high-ranking officers at Defence Headquarters, including Chiefs of Staff and Defence Ministry officials, along with the State authorities.

The first warning of floods in the Srinagar Valley which is generally issued when it rains heavily for about twelve hours was given at seven o'clock on the morning of 4th July last. Army Units in the area were thereupon alerted. A combined headquarters consisting of representatives of the civil authorities, the Army and the Air Force was set up at Srinagar to co-ordinate rescue and relief work and other assistance that may be required by the Armed Forces in view of the disaster that threatened. The situation appeared to deteriorate rapidly on the 6th July. Army patrols were thereupon detailed on a round-the-clock basis to watch the breaches on the banks of the river Jhelum and to strengthen weak points with sand bags etc.

In the Jammu sector, the flood warning was issued by the State Government on the 5th July at 7-15 A.M. Troops were deployed immediately to render assistance to the civil authorities and to strengthen bunds wherever required. The Army prepared for evacuation of civilians in the low lying areas and the issue of boats and other requisites. While general particulars of damages, to highways, bridges and other structures and places may as far as possible be given, description has necessarily certain limitations in regard to this part of India

In the Valley, Army engineers brought back to use four important roads Troops were deployed for the evacuation of civilians and both Army road transport and boats were detailed for anti-flood measures. Tens of thousands of sand bags from Army stocks were diverted to meet the fury of the flood and to save important areas and points from disaster. Flour had to be released from limited Army stocks for urgent and immediate relief to flood victims. Similarly, tens of thousands of gallons of fuel had to be loaned to the trade to meet the requirements of the public and of the tourists who were stranded in many

[Shri Krishna Menon]

places. The Army Medical Authorities had to give attention to civilian cases and casualties amounting to more than eight thousand, to meet the threat of the epidemic that often follows a flood T.B, small-pox and anti-cholera inoculations on an extensive scale had to be undertaken by the Armed Forces Medical Services Similarly, preventive measures had to be undertaken in the villages affected by the flood, by DDT spraying and other methods on a large scale Some eight medical teams had to be despatched to various points in the Srinagar area

In the Rajauri-Poonch area land slides, washed away roads and other damages had to be repaired and restoration work done, and a number of bridges had to be constructed within short periods

In the Jammu area also, Army personnel had to be employed for similar work and for making good the breaches in the banks and protective bunds of the river Tawi

Army engineers and troops were deployed to assist to bring into commission the Pathankot-Srinagar road which had been breached in many places Six major bridges had to be constructed, the work being done on a non-stop basis until completion A number of other bridges and culverts had also to be similarly restored at the same time The town of Banihal and the Banihal bridge which faced danger of being washed away was protected by counter-measures and fortunately, both the town and the bridge were saved

The extent of the damage and the volume of consequent assistance may be stated in general terms as follows

In and around Srinagar, a total length of nearly three hundred miles of roadways and breaches, partial or full destruction of communications at over fifty places including some eighteen bridges and culverts had to be effectively dealth with and very soon

In the Rajauri-Poonch area, similarly, the damage which had to be restored extended to twenty-one miles of roads, including seven bridges which were completely destroyed by the floods

In and around Jammu, one hundred miles of roads and tracks in over thirty-seven places had to be restored

In far off Leh, one bridge, and ten miles of roads suffered destruction and were repaired

Srinagar airfield which is on high ground, and therefore, escaped floods, however, was isolated on account of the damage to the roads leading to it, thus creating a problem in respect of the tourists that had to be repatriated These roads, where possible of repair, were repaired, and where it was impossible, diversions were built The Indian Air Force carried out many sorties for reconnaissance of the flood-affected areas to enable counter-measures to be planned and taken They were also able to respond to requirements of air-lift essential supplies of Red Cross stores and other relief

Government would not like to give the impression to the House that the Armed Forces alone were available and rendered the required assistance to meet the menace and the harm inflicted by the catastrophe The resources of the State Government were both extensively and promptly organised under the leadership of the Prime Minister of Jammu and Kashmir and manned both by the volunteers and official personnel The resources of the Central Government were also available to the State All necessary branches of administration of the Central Government, more especially, the Ministry of Food and Agriculture, the Ministry of Health and the Ministry of Communications in a large and considerable measure were engaged in meeting the havoc

The Indian Airlines Corporation carried out as many as 162 additional flights between Srinagar and Jammu| Pathankot. They airlifted some four thousand passengers in addition to their normal flights.

Government are glad to report to the House that the personnel of the Armed Forces in addition to their assigned duties responded as citizens to the aid and succour of the afflicted people, voluntarily, and in considerable measure.

I, however, regret to inform the House that some twenty-two Army personnel lost their lives. I feel sure that the House would like me to convey to the next-of-kin and their families of these dead men our abundant sympathy, and also our appreciation of the prompt and spontaneous response of Army personnel in all ranks to render assistance to the civilian population—men, women and children—to the best of their ability

The account that has now been given, as required by this occasion, has to be restricted to the assistance rendered by the Armed Forces. The House is already aware both of the extent of damage and the extent of reparation and relief rendered by Governments, State and Central; and by voluntary authorities and organisations, both from the statements made in this House and from the reports that have appeared in the press.

Mr. Speaker: I am sure, as the Defence Minister has said, our sympathies go forth to the families of the twenty-two or twenty-three members of the Armed Forces who have lost their lives. We also appreciate the excellent work that has been done by the Armed Forces, and we hope that if necessary they will continue to do so.

12·18 hrs.

MOTION RE: RISE IN SUGAR PRICES

श्री चुड़ामणि राय (खेरी) : माननीय अध्यक्ष महोदय, जो प्रस्ताव मेरे सामने है उस को मैं उपस्थित करना चाहता हूं :

"कि यह सभा चीनी के वितरण के बारे में सरकार की नीति पर चिन्ता प्रकट करती है और सरकार से अनुरोध करती है कि वह चीनी के मूल्य में वृद्धि और चीनी के व्यापारियों द्वारा मुनाफाखोरी को रोकने के लिये उपयुक्त कार्यवाही करे ।"

श्रीमान्, मैं आप का बहुत आभारी हूं कि आप ने मेरे प्रस्ताव को स्वीकार कर के मुझ को विवाद में हिस्सा लेने का अवसर दिया । साथ ही साथ मैं माननीय मंत्री पार्लियामेंटरी अफेयर्स का भी आभारी हूं कि उन्हों ने इस विवाद के लिये समय निकाला ।

हमारी सरकार, कांग्रेस सरकार, सन् १९४७ में बनी थी और उस के बाद से दो साल ऐसे आये हैं कि जिन में शक्कर के मिल मालिकों ने और शक्कर का रोजगार करने वालों ने उपभोक्ताओं की पूरी पूरी लूट की । सन् १९४९ में ऐसा अवसर आया और उस समय भी इस सभा में इस प्रश्न पर विवाद हुआ था । उस समय हमारे वर्तमान मंत्री जी मंत्री नहीं थे । वह एक साधारण सदस्य थे जैसाकि मैं इस समय हूं । और उस समय उस विवाद में बोलते हुए उन्हों ने कहा था :

"The consumer was fleeced of no less than a sum of Rs. 6 to Rs. 8 crores, when the Government sat calling conferences, meetings, and committees, when every housewife was worried

[श्री खुशवक्त राय]

that she could not sweeten her child's milk with a pinch of sugar. Government was fiddling with committees, boards and conferences"

उस समय हमारे श्री अजित प्रसाद जैन ने उस समय की सरकार पर यह चार्ज लगाया था कि जब घर की औरतों को एक एक चम्मच चीनी नही मिलती थी उस समय सरकार कमेटिया, कानफरेंसे और बोर्ड बुला रही थी । अब इस मार्च से ले कर इस समय तक मन्त्री जी ने जो शहरों और गावो के अन्दर चीनी के दाम बढे उस के बारे मे क्या किया । उस समय की सरकार ने तो कमेटिया, कानफरेंसें और बोर्ड बुलाये थे । पर मन्त्री जी के मन्त्रालय ने तो इस बार कोई ऐसा नही किया ।

श्री अजराज सिंह (फिरोजाबाद) कमेटिया बन्द कर दीं ।

श्री खुशवक्त राय : कमेटिया बन्द हो गईं और कानफरेंसे बन्द हो गई ।

सन् १९४९ में मन्त्री जी के अनुमान से ६ करोड ८ लाख रुपये की लूट की गई थी । इस समय जो अनुमान है उस के हिसाब से जो उपभोक्ताओं से मूल्य वसूल किया गया है शक्कर के मिल मालिको द्वारा और शक्कर के व्यापारियो द्वारा वह १५ करोड ८२ लाख आता है, जिस में से ७ करोड ४१ लाख तो मिल मालिको की जेब मे गया और जो उस से बचा वह थोक व्यापारियो और फुटकर के व्यापारियो की जेब मे गया । मैं कहना चाहता हू कि उस समय तो हमारे अजित प्रसाद जी को इतनी बडी चिन्ता थी, परन्तु इस समय जबकि १५ करोड रुपया उपभोक्ताओ की जेब से निकल गया और मिल मालिको और शक्कर के व्यापारियो की जेबो में चला गया, तो उन्हो ने कोई काम नहीं किया ।

सन १९४९ में जो शुगर रेकेट हुआ था उस के बारे में जांच कमेटी बनी थी और उस के सम्बन्ध में टैरिफ बोर्ड ने भी अपनी रिपोर्ट पेश की थी । मैं माननीय मन्त्री जी से पूछना चाहता हू कि टैरिफ बोर्ड ने और उस कमेटी ने जो सुझाव दिये थे उन पर कितना अमल किया गया । जहां तक मैं जानता हू उन सिफारिशो पर कोई विचार ही नही किया गया और न अमल ही किया गया । उस समय टैरिफ बोर्ड ने सुझाव दिये थे कि किस प्रकार से शुगर रेकेट रोका जा सकता है । परन्तु जहा तक मुझे मालूम है, सरकार के मन्त्रालयों पर आज तक कोई अमल नहीं किया । जो शुगर रेकेट सन् १९४९ में हुआ और जो इस साल हुआ जिस की मैं चर्चा कर रहा हू, इन दोनो में एक प्रकार की पारिवारिक समानता है । सन् १९४९ मे भी यह बात फैलाई गई थी कि चीनी का अभाव है । दूसरी बात उस समय यह भी कही गई थी कि ५० हजार टन चीनी पाकिस्तान को निर्यात की जायेगी और आखिर मे यह कहा गया कि वह एक्सपोर्ट नही होगा । तो जैसाकि मैं ने कहा इस समय भी बनावटी अभाव की धारणा पैदा की गई थी और उस धारणा को प्रोत्साहन मिला ५० हजार टन के निर्यात की बात से । इस समय भी करीब करीब वही बात हुई । आप देखेंगे कि फरवरी से चीनी का उत्पादन घटने लगा । मिल मालिको ने उसी समय से ५ आना, १० आना, १ रुपया, डेढ़ रुपया फी मन के हिसाब से कीमतें बढानी शुरू कर दी । उस समय, जैसाकि मैं ने कहा, पाकिस्तान को निर्यात करने की बात कही गई थी । इस समय भी एक लाख टन निर्यात करने की बात थी जिस का इस सरकार ने फैसला दिसम्बर सन १९५८ में किया था । मेरी तो समझ में नही आता कि जब फरवरी में सरकार को यह स्पष्ट रूप से मालूम हो गया था कि इस वर्ष का उत्पादन पिछले साल

के उत्पादन से कम होगा, मैं तो समझता हूं कि उन को यह दिसम्बर में मालूम हो जाना चाहिये था क्योंकि उनके पास इस के आंकड़े आ गये थे कि इस साल गन्ना कम हुआ है, और फरवरी के आंकड़ों से तो साफ ही हो गया कि इस वर्ष शकर का उत्पादन कम होगा, फिर भी जब ९ मार्च को माननीय मंत्री जी शुगर मिल एसोसियेशन में बोलने गये उस वक्त भी उन्होंने कहा कि हम ५० हजार टन का निर्यात करेंगे । यह जरूर कहा कि अगर जरूरत होगी तो हम इस में थोड़ी तबदीली कर देंगे । परन्तु ५० हजार टन के निर्यात की बात उस वक्त भी मौजूद थी और उस को उन्होंने वहां बताया । इस प्रकार एक तो फरवरी से अभाव की बात चल रही थी कि इस साल उत्पादन कम होने वाला है और दूसरे ५० हजार टन निर्यात करने की बात थी । इन दोनो बातो ने बाजार में बुलिश इफेक्ट पैदा कर दिया और जब बुलिश इफैक्ट पैदा हो जाता है तो दो बातें शुरू हो जाती है, एक कारनरिंग और दूसरी होर्डिंग, जिस को हिन्दी में कुनियाना और एकत्रीकरण कहते हैं । जब ये दो बाते शुरू हो जाती है तो दाम भी बढते है और आप जानते हैं कि जो हमारे शकर के मिल मालिक है और जो चीनी के व्यापारी है वे कोई दूध के धोये नही हैं । वह तो सिर्फ इसलिये है कि ज्यादा से ज्यादा पैसा पैदा करे । हमारे मन्त्री जी के दिल मे भले ही अच्छे खयाल हो और वह खयाल उन्हो ने अक्सर इस सदन मे जाहिर भी किये है, स्पष्ट भी किये हैं शुगर इडस्ट्री के बारे मे, जिस के बारे मे मै बाद को बताऊगा । लेकिन मैं यह शुरू में ही कह देना चाहता हू कि यह हमारे मिल मालिक और व्यापारी पैसा पैदा करने के लिये ही बैठे है, ये कोई फिलाथ्राफिक विचार ले कर नही बैठे हैं कि वह इस बात की कोशिश करे कि उचित मूल्य पर चीनी वितरित की जाय । वह ऐसा खयाल तभी कर सकते हैं जबकि उन के सिर पर आप का कोड़ा हो ।

अब मैं आप को शकर के उत्पादन के बारे में कुछ बतलाना चाहता हूं । यह तो ठीक है कि पिछले साल से इस साल शकर के उत्पादन में कमी हुई है । इस साल का उत्पादन, जहां तक मुझको मालूम है, १९ लाख ४ हजार टन हुआ है । परन्तु इस के यह मानी नही हैं कि शकर की कोई कमी थी । आप देखें कि जो पिछले साल की बची हुई शकर थी वह लगभग ६ लाख ५८ हजार टन थी जिस में से ३ लाख १० हजार टन तो शकर मिलो के ही पास थी । उस के अलावा २,४८ हजार टन शक्कर बाजारों में थी । ऐसा नही होता है कि जितना स्टाक बाजारो मे हो, वह सारे का सारा १ नवम्बर के पहले बेच दिया जाये । जो स्टाक १ नवम्बर के पहले दुकानदारो के पास होता है, वह उन के पास रहता है । उस के बारे मे अन्दाजा यह है कि २,४८ हजार टन शक्कर बाजारों में थी । इस के अलावा ५० हजार टन शक्कर बन्दरगाहो मे थी । उस मे आप इस साल की चीनी जोडिये, जोकि १९,०४ हजार टन थी ।

यह आकडे मैं ने इडियन शुगर मिल्ज एसोसियेशन के पत्र "इडियन शुगर' में से लिये है । इस में दो लाख टन खडसारी भी जोड़िये । पिछले साल से इस साल खडसारी का उत्पादन कम हुआ और उस का भी एक कारण है, लेकिन दो लाख टन तो अनुमानत उत्पादन किया ही गया । इस सब को आप जोड़िये, तो आप के पास इस साल की वितरणलायक शक्कर—एवेलेबल टोटल सप्लाई—२७,६१,८७८ टन हो जाती है । जहा तक मुझे याद है, इस साल का शक्कर का स्टाक एक साल को छोड कर पिछले सालो में किसी भी साल के स्टाक से अधिक है । जब इतना स्टाक है, तो अभाव का प्रश्न ही नही उठता । परन्तु जैसा मैं ने अभी चर्चा की, फरवरी से हमारी शुगर मिलो का उत्पादन घटा और तभी से यह बात बाजारो में फैलने लगी कि शक्कर का अभाव है । पहले तो यह बात मौखिक रूप से बाजारो में चलती रही और

[श्री खुशवक्त राय]

उस के बाद अखबारों में इस का प्रचार होने लगा। अखबारों में शक्कर की मार्केट रिपोर्ट्स आती है, उन में यह चर्चा होने लगी। २३ अप्रैल, १९५९ और २७ अप्रैल, १९५९ के "स्टेट्समैन" में इस प्रकार की खबरों को छापा गया। २३ अप्रैल की कलकत्ता की न्यूज थी और २७ अप्रैल की हापुड़ की न्यूज थी और इन दोनों में यह बताया गया कि इस साल शुगर का बड़ा अभाव है। उस वक्त शक्कर के उत्पादन के सम्बन्ध में सरकार का अनुमान बीस लाख का था। वैसे साढ़े उन्नीस लाख का अनुमान किया गया था, लेकिन इन खबरों में बताया गया कि इस साल शक्कर साढ़े अठारह लाख होगी, इसलिये शक्कर के दाम बढ़ेंगे और शक्कर की कमी होगी। लेकिन हमारे मंत्री जी और उन के मंत्रालय ने इस धारणा को दूर करने की क्या कोशिश की ? कोई बात ऐसी मालूम नहीं पड़ी कि मंत्री जी ने या उन के मंत्रालय ने कोई भी विज्ञप्ति या कोई प्रकाशन निकाला हो कि कोई अभाव नहीं है, कोई कमी नहीं है और शक्कर के मूल्य बढ़ने की कोई जरूरत नहीं है।

अध्यक्ष महोदय, आप को, और सदन के साथी सदस्यों को यह बात स्मरण होगी कि जब हम लोग पिछले सत्र में ९ मई, १९५९ को उठ रहे थे, तो आप ने कृपा कर हमारा एक कालिंग एटेंशन नोटिस मंजूर कर लिया था और उस समय उस पर चर्चा भी हुई थी। उस समय पहले हमारे मंत्री जी मौजूद नहीं थे। उस दिन डिप्टी मिनिस्टर महोदय ने उस का जवाब दिया था और उन्हों ने यह बताया था :

"Although the production of sugar this year is likely to be somewhat less than that of last year, this year's production together with the carry-over from last year is sufficient to meet the requirement of consumption during the current sugar year".

मेरा आरोप यह है कि जो बात माननीय उपमंत्री जी ने इस सदन में ९ मई को कही, वह बात उन को फरवरी में कहनी चाहिये थी।

एक माननीय सदस्य : उस से क्या फर्क पड़ता है ?

श्री खुशवक्त राय : फर्क पड़ता है। अगर उस समय यह वक्तव्य दिया गया होता, तो बाजार में भाव न बढ़ते। फरवरी के बजाय ९ मई को यह बात कही गई। जब ९ मई को इस सदन में यह वक्तव्य दिया गया, तो उस वक्त तक शक्कर के भाव बढ़ चुके थे, काफी ज्यादा हो चुके थे और उस वक्त उस वक्तव्य से मूल्यों के घटाने में कोई सहायता नहीं मिली। मैं इस बात में नहीं जाना चाहता हूं कि किस प्रकार से मिल-मालिकों ने चोर-बाजारी की। उन्होंने बड़े अजीब अजीब तरीके चोर-बाजारी के निकाले। मैं यह बताना चाहता हूं कि उन मिल-मालिकों ने भी, जिन की बड़ी धाक है, जिन का, जब हम *कांग्रेस में थे, हम मान करते थे, वही किया*, जो और मिल-मालिकों ने किया।

एक माननीय सदस्य : क्या किया ?

श्री खुशवक्त राय : माननीय सदस्य सुनना चाहते हैं, लेकिन मेरे पास समय कहां है ?

मैं ने पहले भी कहा था कि माननीय मंत्री जी ने इस सदन में यह बात कई बार कही है कि शक्कर का उद्योग एक बड़ा ही सुनियंत्रित उद्योग है—एक वैल-रेगुलेटिड इंडस्ट्री है। उन्होंने यह भी कहा है कि हम ने खुद से ले कर आखिर तक—गन्ने के मूल्य से ले कर शक्कर के मूल्य तक—हर चीज पर कंट्रोल कर रखा है। उन्हों ने कहा कि उन के पास कोई मुंबायल नहीं है। मैं नम्रतापूर्वक पूछना चाहता हूं कि जब यह मोस्ट कंट्रोल्ड इंडस्ट्री है—मैं समझता हूं कि यह वर्ल्ड लीड-मार्केटियर है—,जब यह एक वैल रेगुलेटिड इंडस्ट्री

है, तो सरकार के रेगुलेशन कहां चले गये जबकि शक्कर के मिल-मालिकों और व्यापारियों ने करोड़ों रुपये पैदा कर लिये और सरकार रेगुलेट नहीं कर पाई ।

१८-१२-५८ को माननीय मन्त्री जी ने इस सदन में गन्ने की कीमत बढ़ाने का विरोध किया था और कहा था—

"Our present ex-factory price of sugar in U.P. and Bihar is Rs. 36 per md. and no mill can sell sugar—a particular quality of sugar, that is D-29—for more than Rs. 36 per md. If any factory sells at a higher price then it is an offence calling for heavy penalty".

मैं माननीय मंत्री जी से पूछना चाहता हूं कि जब सरकार की तरफ से डी–२९ की शक्कर का मूल्य ३६ रुपये निश्चित किया था और मिलें उस से ज्यादा कीमत पर शक्कर बेचती रहीं । और यह तथ्य मंत्री जी को मालूम भी था, तो भी सरकार ने क्या कार्यवाही की । आल इंडिया शुगर मिल्ज एसोसियेशन के वार्षिक अधिवेशन में मंत्री महोदय ने चेतावनी दी थी कि मिलों ने शक्कर ऊंचे भाव पर बेची है । वक्तव्य में उन्हों ने स्वीकार किया कि मिलो ने शक्कर ऊंचे मूल्यो पर बेची । मैं यह जानना चाहता हू कि उन के इतने बड़े आफ़ेन्स के बारे में सरकार की तरफ़ से क्या कार्यवाही की गई । मैं जानना चाहता हूं कि क्या यह सिर्फ चेतावनी ही थी और उस का फल क्या निकला । क्या सरकार के पास इस सम्बन्ध में कोई अधिकार नहीं थे कि वे इन मिलों के खिलाफ कार्यवाही कर सकते ? सरकार ने न तो कोई प्रिवेंटिव और न पीनल सैक्शन लिया । क्यों नहीं लिया ? मैं जानता हूं कि सरकार के पास अधिकार थे । अगर आप शुगर कंट्रोल आर्डर की धारा ५(२) को देखें, तो उस में इस बात की मुमानियत की गई है कि मुकर्रर कीमत से अधिक मूल्य पर शक्कर को बेचा जाये । इस के अलावा धारा ८(ई) को भी देख लीजिये । उस में सरकार को यह अधिकार दिया गया है कि यदि उस को मालूम हो जाये कि किसी ने ऐसा किया है, तो उस के स्टाक सीज किये जा सकते हैं । मैं यह कहना चाहता हूं कि अगर किसी भी मिल के बारे में मंत्री महोदय को इत्तिला मिली थी, तो वह उस का स्टाक सीज कर लेते । अगर एक भी मिल का स्टाक सीज कर लिया गया होता, तो किसी भी मिल की हिम्मत न पड़ती कि वह चोर-बाजारी करें ।

अब मैं कुछ बात आप के डाइरेक्टोरेट आफ़ शुगर एण्ड वनस्पति के बारे में भी कहना चाहता हूं । मेरे पास समय की कमी है वरना मैं बहुत सी बात कहता, परन्तु फिर भी मैं दो बात जरूर कहना चाहता हूं । पिछले वर्षों में जब शुगर के कोटे रिलीज होते थे फ्री सेल के लिये आन अलाटमेंट आफ टेंडर्स, तो वह जिस महीने के लिये रिलीज होते थे, उस महीने के पहले हफ्ते में या उसके पहले वाले हफ्ते में इश्यू हो जाया करते थे, लेकिन आप देखिये कि इस समय जो कोटे रिलीज हुए हैं वह काफी देर देर में रिलीज हुए है । आप इस बात को सोचिये कि जब देश म इस बात की धारणा फैल चुकी थी कि शुगर की कमी है तो दो दिन, तीन दिन, छः दिन, सात दिन की देरी इस अभाव की बात को प्रोत्साहन देती थी कि आखिर यह देरी क्यों हुई ।

दूसरी बात देखिये कि पिछले साल से जो कोटे रिलीज किये गये हैं वह कम किये गये हैं खास कर के अगर आप मार्च और अप्रैल के महीने के पिछले सालों के आंकड़ों को मिलाय तो देखेंगे कि मार्च और अप्रैल में जो कोटे रिलीज किये गये वह कम किये गये और इसका भी यह प्रभाव पड़ा कि लोगों के दिलों में खयाल पैदा हुआ, बाजार वालों के दिल में यह खयाल पैदा हुआ कि शक्कर की कमी

[श्री खुशवक्त राय]

है । मुझे आप से यह भी कहना है कि आपने शुगर के डाइरेक्ट्रोरेट को जो यह अधिकार दे दिया है कि जो भी आये उसे एक वैगन दे दो, यह कोई बहुत मुनासिब बात नहीं थी । जो लोग शुगर का व्यापार करते आये है, उनकी एक धाक है, उनकी एक पोजीशन है, लेकिन जिन्होंने कभी भी शक्कर का व्यापार नहीं किया वे यहां से वैगन्स ले गये और ले जा कर चोर बाजार में उसे बेचा । आपने कोई इस बात का प्रयत्न नही किया और आप के डाइरेक्टोरेट से कोई इस बात का प्रयत्न नहीं किया गया कि जिन लोगो को शुगर के कोटे आन टेण्डर दिये गये, उन के बारे मे कोई नियन्त्रण रक्खा जाता ।

Mr. Speaker: One hon Member need not be too ambitious to exhaust every aspect of it There are other hon Members

Shri Khushwaqt Rai: I am not exhaustng; I know I am not a sugar expert; there are other Members in this House who know better than myself

Shri Raghunath Singh (Barmer) Then leave it for us

Shri Khushwaqt Rai. I am leaving now

अब मैं एक ही बात कहना चाहता हु और उस के बाद बैठ जाऊगा । मैंने थोडी देर पहले इस बात का जिक्र किया था कि खन्डसारी की जो पैदावार थी वह घटी और उसके घटने के कारण यह हुआ कि आपने एक्साइज ड्यूटी लगाई । साथ ही साथ मैं यह भी कहना चाहता हूं कि खन्डसारी का जो कुछ भी उत्पादन हुआ उस पर बैन लगा कर आप ने और भी एक मुसीबत पैदा कर दी । आज के दिन खन्डसारी राजस्थान और सौराष्ट्र में नही जा सकती । राजस्थान और सौराष्ट्र ही खन्डसारी के खाने वाले प्रदेश थे । जब आपने एक्सफैक्टरी प्राईस को कन्ट्रोल किया तो सिर्फ पंजाब, उत्तर प्रदेश और नार्थ बिहार में किया । इस सारे समय में जो और मिल थीं उन को पूरी छूट रही कि वह जितने दाम में चाहें उसे बेचें । मेरे पास इस बात का सबूत है कि किस तरह से शुगर दक्षिण में बेची गई, उस की चोर बाजारी की गई और कितनी कितनी ऊंची कीमत पर बेची गई । इसका कारण यही था कि आपने जो शुगर की एक्स फैक्ट्री प्राइस कंट्रोल की वह सिर्फ पजाब, उत्तर प्रदेश और नार्थ बिहार में की । इन सब बातों के कारण दक्षिण में शुगर की चोर बाजारी हुई ।

इन बातो से मुझे चिन्ता है और मै समझता हू कि खाद्य मंत्री जी को भी चिन्ता होगी तथा ऐसा कुछ उपाय होगा कि आगे चल कर ऐसी कोई बात न हो सके ।

Mr. Speaker: Motion moved:

> "That this House expresses its concern at the policy of the Government in regard to the distribution of sugar and urges upon the Government to take suitable steps to check the rise in the prices of sugar and profiteering by sugar interests"

I have received notice of some amendments Is Shri Saksena moving his amendment?

Shri S. L Saksena (Maharajganj) I beg to move

That at the end of the motion, the following be added, namely.—

> "and recommends that a High Power Commission of Enquiry, consisting of either a Supreme Court Judge or an eminent publicman be appointed to investigate into the complaint, and to find out the causes of the present sugar racket which has already resulted in the exploitation of sugar consumers to the extent of Rs. 16 crores during the last five months

and the evasion of income-tax on the profits so accruing to the sugar mill-owners".

Mr. Speaker: Shri Braj Raj Singh has tabled an amendment No. 2 There is no objection to part (a) of the amendment. But part (b) of the amendment "that sugar industry be nationalised" does not arise out of this and therefore, it is ruled out of order. He will be allowed to move the first part. I will treat it as moved. What I propose doing is this I will treat these amendments which are not out of order as moved if the hon Members are in their seats. Now, Shri D. R Chavan is here and he has tabled an amendment. Part (b) of his amendment does not arise out of this motion and so it is ruled out I will treat the first part of his amendment as moved. Shri Raghunath Singh has also tabled an amendment, No. 4 Copies of that amendment have been circulated.

Shri Braj Raj Singh: You may have to waive the time-limit of 24 hours; it has just been circulated.

Mr. Speaker: There is no harm, it is only a substitute motion

An Hon. Member: It seems that it is a Government amendment

Shri Raghunath Singh: No, Sir, it is my amendment

Mr. Speaker: Any hon Member who belongs to the Government party will certainly support the Government with such modifications as the occasion may require I shall treat that amendment also as moved. Now, how much time would the hon Members require? The time originally allotted was 2 hours and it has been increased to 2½ hours.

Shri Braj Raj Singh: I would request to extend the time by one more hour; this is a very important matter

Mr. Speaker: I have no objection if the hon. Members assure me of quorum. The private Members' business is to start at 2·30. Instead we may start at 3·30; then we may have to sit till 6. Is the House agreeable to this?

Some Hon. Members: Yes.

Mr. Speaker: All right. This will end at 3·30. A number of hon. Members want to participate I would like to make the time distributed among the various groups and give opportunity to all hon. Members. So, they will confine their remarks to 15 minutes Now, Shri Braj Raj Singh, I will then call Shri Shibban Lal Saksena and then Shri Raghunath Singh (*Interruptions*).

An Hon Member: There will be no quorum

Shri S. M. Banerjee (Kanpur): I am one of the Movers

Mr Speaker: I will call him also.

Shri Vajpayee (Balrampur): My name may be included

Mr. Speaker: Yes, I will call Shri Vajpayee also (*Interruptions*) Time permitting, I will allow all hon. Members.

Some Hon. Members: Please make it ten minutes so that others may get a chance

Mr. Speaker: I have allowed 15 minutes to Shri Braj Raj Singh. For others, only ten minutes.

Shri S. L. Saksena: For me also, 15 minutes

Mr. Speaker: Shri Saksena has fasted on this question; therefore, I will allow him 15 minutes. Other hon. Members will try to confine their remarks to ten minutes.

Shri Braj Raj Singh: I beg to move:

That at the end of the motion, the following be added, namely:

"and recommends—

(a) that Government do appoint a Committee consisting of a High Court Judge and two members of Parliament one from each House to enquire into the undue profits earned by the sugar interests during the last few months"

Shri D R. Chavan (Karad) I beg to move·

That at the end of the motion, the following be added, namely.

"and recommends—

(a) that a Committee consisting of five members of Parliament, three from Lok Sabha and two from Rajya Sabha, presided over by a Judge of High Court, be appointed to investigate and enquire into unduly high profits earned by the sugar industrialists during the last few years"

Shri Raghunath Singh· I beg to move

That for the original motion, the following be substituted, namely

"This House expresses its concern at the rise in the sugar prices and after taking note of the steps already taken by Government recommends that Government should take such further steps as are found necessary from time to time to check the rise in the prices of sugar and profiteering by sugar interests"

श्री ब्रजराज सिंह : आपने महोदय, ९ मई को इस सदन जबकि एक कालिंग अटेंशन नोटिस की चर्चा हो रही थी तो मैंने आप के सम्मुख यह कहा था

"I fear that within the next three months when Parliament will not be in session, there will be a sugar famine in India..."

इसके बाद मैं कुछ और कहना चाहता था कि हिन्दुस्तान की केन्द्रीय सरकार हिन्दुस्तान के चीनी मिल मालिकों से मिली हुई है, उसकी उन के साथ साजिश है, जिसके कारण चीनी का अकाल पड़ेगा। इस के आगे मैं कुछ शब्द और भी कहना चाहता था जिन को कहने से आपने मुझे रोक दिया था। वे शब्द मैं नहीं कह सका था। मैं क्यों कहना चाहता था कि अगले तीन महीनों में हिन्दुस्तान के अन्दर चीनी का अकाल पड़ने वाला है? कोई ऐसी बात नहीं थी कि मैं भविष्यवाणी करना चाहता था कोई भविष्य वक्ता हो गया था और इस बात को कहना चाहता था। लेकिन मैं जानता था, जिन तरह की प्रक्रियायें खाद्य मन्त्रालय में चल रही थीं और जिस तरह से उन की साठ गांठ मिल ओनर्स से चल रही थी उनसे साफ पता चलता था कि जिस वक्त पार्लियामेंट नहीं बैठ रही होगी, उस वक्त ये लोग मिल जुल कर खूब धंधा करेंगे। देश की जनता को ठगेंगे और उपभोक्ता को ठगेंगे। इस के लिये मेरे पास उससे पहले का उदाहरण मौजूद था आप को याद होगा कि सन् १९५८ में जब पार्लियामेंट नहीं बैठ रही थी, उस वक्त खाद्य मन्त्रालय ने एक आर्डिनेन्स पास किया उसमें कहा था कि सरकार शुगर को बाहर एक्सपोर्ट करना चाहती है फारेन एक्सचेंज पैदा करने के लिये। इस के लिये आर्डिनेन्स जारी किया गया था। आर्डिनेन्स जारी करने के बाद १३ अगस्त को, ११ अगस्त से पार्लियामेंट बैठी, लेकिन १३ अगस्त को पार्लियामेंट में मंत्री महोदय ने कहा था कि अब तक हम एक पाई की चीनी भी बाहर नहीं भेज सके हैं और कोई फारेन एक्सचेंज हमें नहीं मिल सका है। इससे मैंने अन्दाज लगाया है कि हिन्दुस्तान का खाद्य मन्त्रालय जो शुगर के पूंजीपति हैं उनके साथ साठ गांठ कर रहा है और हिन्दुस्तान की जनता को लूटना चाहता है, वह भी उस वक्त जब कि सदन बैठा

न हो, जब कि देश के प्रतिनिधि यहां बैठे न हों और उन से कोई जांच पड़ताल न कर सकें । लेकिन मैं आप का ध्यान आकर्षित करना चाहता हूं आपकी उस व्यवस्था की तरफ जो कि आपने उस दिन की चर्चा के बाद दी थी । आपने कहा था :

"Whenever there is an abnormal rise in prices, I expect the hon. Minister of Food to come before Parliament without waiting for questions to be put and explain what has happened when the House is in session. But when the House is not in session, he should issue statements as to why this has occurred and what steps Government are taking. Notwithstanding everything done by the Government, it will remove a lot of misunderstanding about the actions of Government."

वह सब होते हुए भी इन पौने तीन महीनों में जबकि पार्लियामेंट नही बैठी थी लाखों इस चीनी टेंडर सिस्टम से जारी की गई और उस टेंडर सिस्टम को न तो अखबारों में प्रकाशित किया गया न लोगों को बतलाया गया कि किस तरह से टेंडर दिये जायेंगे । जो खाद्य मंत्रालय का नोटिस बोर्ड है उस पर भी नही लिखा गया कि कब टेंडर दिये जायेंगे और किस तरह से दिये जायेंगे । इस तरह की कोई बात नही की गई । मैं निवेदन करना चाहता हूं कि जब अध्यक्ष महोदय का डाइरेक्शन था, उनकी यह व्यवस्था थी कि जब कीमत बढ़ने लगे तो कीमतो के बढने के कारणों पर इस सदन म प्रकाश डाला जाना चाहिये और अगर सदन न बैठा हो तो हिन्दुस्तान की जनता को हिन्दुस्तान के अखबारो के जरिये और प्रेस विज्ञप्तियो के जरिये बता देना चाहिये कि क्या हो रहा है । लेकिन इस सम्बन्ध मे खाद्य मंत्रालय कतई चुप बैठा रहा, कही कुछ किया नही गया । इस बार जो टेंडर सिस्टम लागू किया गया, उससे पहले भी टेंडर सिस्टम लागू किया गया था । आप को मालूम होगा कि इससे पहले भी संकट पड़ चुके है चीनी के सम्बन्ध में और इसीलिये उन संकटों को देखते हुए मैंने इस संशोधन में यह व्यवस्था की थी कि अब चीनी उद्योग का राष्ट्रीयकरण कर दिया जाय । इस के अलावा अब कोई चारा नहीं रह गया है अगर हिन्दुस्तान की सरकार यहां की जनता को चीनी खिलाना चाहती है, अगर वह उन लोगों के साथ न्याय करना चाहती है जिन के वोटों पर चुन कर वह यहां आई है । परन्तु आज का यह विषय नहीं है और इस में वह नही आ सकता है, लेकिन मैं यह जरूर कहना चाहूंगा अब इस के अलावा कोई चारा नही रह गया है कि चीनी उद्योग का राष्ट्रीयकरण कर दिया जाय । तो चीनी में टेंडर सिस्टम पहले भी लागू हुआ था । जिन दोनों श्री रफी अहमद किदवई खाद्य मन्त्री थे, यह टेंडर सिस्टम लागू हुआ था । उन्होने नियम बनाया था कि जो व्यक्ति टेंडर पायेंगे वे ऐसे लोग होंगे जो पिछले तीन साल तक चीनी की तिजारत में रहे हों, जो इनकम टैक्स अदा करते रहे है । लेकिन हमारे वर्तमान खाद्य मत्री के राज्य में क्या होता है ? कोई नियम नही है कि कौन टेंडर पायेगा । कोई किसी तरह की खोज नही की जाती कि किसी ने चीनी का व्यापार किया है या नही, इनकम टैक्स दिया है या नही । यदि कोई पान बेचने वाला चाहे —मैं उस की तरफ कोई हिकारत की नजर से नही देखता, वह भी अपनी जगह पर अच्छा होता है, लेकिन तिजारत के मामले में ऐसा नही होना चाहिये तो पान बेचने वाले को भी टेंडर मिल जाता है । अगर वह कोई जनता का आदमी होता तो भी मुझे कोई ऐतराज न होता, लेकिन साजिश थी जो खाद्य मत्रालय मे ठग बैठे हुए है उन की, और मैं निवेदन करूगा कि मुझे तो लगता है कि खाद्य मंत्री का भी कुछ हाथ रहा होगा ।

12.50 hrs.

[SHRI BARMAN *in the Chair*]

खाद्य मंत्री महोदय लगातार बैठे रहें और यह घांधलिया चलती रहों और करो ड़ों

[श्री ब्रजराज सिंह]

रुपयों का वारा न्यारा चलता रहा । जैसे कि मेरे मित्र श्री खुशवक्तराय ने इस प्रस्ताव को पेश करते हुए कहा कि इसमें तो करीब ५०, ६० करोड़ का वारा न्यारा हुआ है और स्कैंडिल हुआ है । यह बड़े ताज्जुब का विषय है कि शुगर के मामले में ५०–६० करोड़ का वारा न्यारा हो जाय और खाद्य मंत्री चुपचाप बैठे रहें और उसके बारे में कुछ न कहें । टेंडर सिस्टम लागू हो और उस के कोई नियम न हों यह बड़ी गम्भीर घटना है । जिस पर कि इस देश की जनता और इस सदन को बहुत गम्भीरतापूर्वक विचार करना चाहिये । जैसी परिस्थिति है उसको देखते हुए मैं समझता हूं कि इसके अलावा कोई और चारा नहीं रह गया है कि श्री अजित प्रसाद जैन अपनी प्रतिष्ठा को बचाने के लिये खाद्य मंत्री के पद से इस्तीफा दे दें । । अगर वे स्वयं इस्तीफा देने को तैयार न हों तो मैं निवेदन करूंगा कि हिन्दुस्तान की सरकार को इस बात पर इस्तीफा दे देना चाहिए क्योंकि आखिर इस तरह का स्कैंडिल एक बहुत गम्भीर घटना है ।

खाद्य तथा कृषि मंत्री (श्री अ० प्र० जैन) : मैं आनरेबुल मेम्बर से पूछना चाहता हूं कि वह मेरे खिलाफ अगर कोई अभियोग लगाना चाहते हैं तो उसको साफ तौर से लगायें, खुल्लमखुल्ला लगायें और उसकी कुछ तफसील दें ।

श्री ब्रजराज सिंह : अभियोग तो बिल्कुल साफ है । मैं इस सम्बन्ध में व्यक्तिगत तौर पर नहीं जाना चाहता लेकिन क्या यह खाद्य मंत्री महोदय की जिम्मेदारी नहीं है कि जब इस तरह का गोलमाल और स्कैंडिल चल रहा हो तो वह उसके बारे में कोई उचित और आवश्यक कदम उठायें और उसको रोकें ? शुगर मैगनेट्स द्वारा और स्वयं उनके खाद्य मंत्रालय के सम्बन्धित अधिकारीगण नाजायज तौर पर मुनाफा कमाये जा रहे हैं और इस तरह की अंधेरगर्दी के बावजूद वह चुप बैठे रहते हैं । मैं तो यह मानता हूं कि इस तमाम गड़बड़ी की सामूहिक जिम्मेदारी खाद्य मंत्री पर आती है ।

श्री अ० प्र० जैन : । इसका जवाब मैं दूंगा कि मैंने क्या क्या कदम उठाए ?

श्री ब्रजराज सिंह : वह जवाब देने का आपका अधिकार है बाकी यह सदन देखेगा कि आया वह कदम दरअसल उचित थे और ऐसे थे कि जिनसे यह अंधेरगर्दी और गड़बड़ी रोकी जा सकती थी कि नहीं । लेकिन जहां तक कि कांग्रेस पार्टी के सदस्यों का ताल्लुक है उन के लिये तो चाहे कुछ भी क्यों न हो सरकार का अन्त में समर्थन करना जरूरी है और जब ऐसी हालत हो तो कोई खास नतीजा निकलने की कम ही आशा की जा सकती है ? बहरहाल अब मैं उस में नहीं जाऊंगा । लेकिन मैं तो यहां तक भी कहता सकता हूं कि कुछ व्यक्ति हैं जिन को कि नाजायज तरीके से शक्कर दी गई है । अब चूंकि खाद्य मंत्री महोदय ने बीच में मुझे टोक कर यह कहा कि मैं साफ तौर पर उन पर इलजाम लगाऊं लेकिन मैं व्यक्ति विशेष को कोई महत्व नहीं देता चाहे वह अजित प्रसाद जैन हों या के० पी० जैन हों या कोई और साहब रहे हों । लेकिन मेरा तो कहना यह है कि मंत्री महोदय पर एक सामूहिक जिम्मेदारी आती है जिस से कि वे बच नहीं सकते . . .

श्री अ० प्र० जैन : मैं यह चाहता हूं कि इस किस्म की जो बातें कही जा रही हैं, तो वह केसेज बतलाये जायें कि कहां पर बेजा तौर पर दिया गया, गलत तौर पर दिया गया, स्पेसिफिक केसेज बतलायें जायें ताकि उन के ऊपर सख्त कार्यवाही की जा सके । इस तरह के वेग एलिगेशंस लगाना बिल्कुल नाजायज चीज है ।

श्री ब्रजराज सिंह : अब सदन में माननीय सदस्य इस का कुछ न कुछ नतीजा त

निकालेंगे ही जो कि खाद्य मंत्री महोदय को बुझे बार बार टोकना पड़ रहा है। मैं तो कहता हूं कि यह खाद्य मंत्री की जिम्मेदारी है कि वह देखते कि टेंडर सिस्टम तो लागू कर दिया गया लेकिन उस के वास्ते कोई नियम नहीं बनाये गये और जिस को चाहा मनमाने तौर पर और पैसा ऐंठ कर चीनी दे दी गई। यह १, २ लाख टन का नहीं बल्कि सात लाख टन का मामला है और उस में निश्चित रूप से कहा जा सकता है कि फरवरी के महीने से ले कर अब जुलाई के महीने तक जब तक कि यह पार्लियामेंट नहीं बैठी थी तब तक हर टेंडर पर २००, ५०० और ७०० रुपये से ले कर ४ हजार रुपये तक का प्रीमीयम पड़ा है। एक टेंडर में २२० बोरे चीनी दी जाती है फी टेन्डर १०० रुपये प्रीमियम के हिसाब से खाद्य मंत्रालय के चीनी के वितरण से सम्बन्धित अधिकारियों ने २००० तक प्रति टेन्डर के हिसाब से रुपये नाजायज तौर से कमा लिये। अब इस चीज के तो मेरे पास आकड़े नहीं होंगे कि किस मौके पर और किस टेंडर में किस अधिकारी ने कितना मुनाफा कमाया लेकिन मैं निवेदन करना चाहूंगा कि जिस कमेटी या जिस कमीशन को बैठाने की मांग मैं ने अपने प्रस्ताव में की है यदि वह कमीशन बनाने के लिये खाद्य मंत्री महोदय तैयार हों और उस कमीशन के आगे मेरे चार्जेज साबित न हो पाएं तो मैं यह समझूंगा कि मंत्री महोदय के मुझे इस तरह टोकने के कोई मायने थे। मैं चाहता हूं कि सरकार एक कमीशन हाई कोर्ट जज की सदारत में जिस में कि लोक सभा और राज्य सभा के सदस्य हों बिठाने को राजी हो जाये और वह इस बात का पता लगाये कि किस तरीके से इस शुगर के मामले में करोड़ों रुपये का वारा न्यारा हुआ है और टेंडर सिस्टम में क्या खराबी थी।

२३-५-५९ को इस साल १ लाख ५० हजार टन चीनी बेचने के लिये छोड़ी जानी है जब कि सन् १९५८ में २ लाख ६६ हजार टन चीनी छोड़ी गई थी।

अब मैं पूछना चाहता हूं कि आखिर प्रोडेक्शन कम होने के कोई मायने होते हैं? आखिर कितना प्रोडेक्शन कम हुआ। ७२, ७३ हजार टन से ज्यादा तो कम नहीं हुआ है अर्थात इतनी चीनी कम पैदा हुई है। अब हमारे देश में विशेष रूप से मई का महीना ऐसा होता है जब गरमी भी पड़ती है और शादी ब्याह भी काफी होते हैं और चीनी का खर्चा आम तौर पर ज्यादा बढ़ जाया करता है।

श्री अ० प्र० जैन मैं आनरेबुल मेम्बर को बतला दूं कि मई के महीने में हम ने १ लाख ५० हजार टन चीनी फ्री सेल के लिये रिलीज की और ६० हजार टन टेंडर एलौटमेंट के लिये छोड़ी।

श्री बजराज सिंह १० अगस्त की रिपोर्ट के मुताबिक टेंडर एलाटमेंट ४० हजार का नहीं थी कि ३८ हजार टन का है और १ लाख ५० हजार टन फ्री सेल के लिये रिलीज की गई। इस तरह यह कह सकते हैं कि कुल १ लाख ८८ हजार टन शुगर रिलीज की गई। पिछले साल २ लाख ६६ हजार टन चीनी रिलीज की गई। अब यह याद रखने की बात है कि ९ मई को यहां पर खाद्य मंत्री महोदय मानते हैं कि चीनी की स्थिति गड़बड़ होती जा रही है और सदन के सदस्य यह जानते हैं कि चीनी की कीमतें बढ़ती जा रही हैं और स्पीकर महोदय सदन की भावना को व्यक्त करते हुए कहते हैं कि चीनी की बढ़ती हुई कीमतों को रोका जाये लेकिन इस के बावजूद हम देखते हैं कि ९ मई को पार्लियामेंट उठ जाती है और २३ मई १९५९ को यह १ लाख ५० हजार टन चीनी सेल के लिये रिलीज कर दी गई। अब मैं पूछना चाहता हूं कि इस साल पिछले साल के मुकाबिले इतनी कम चीनी क्यों रिलीज की गई? पिछले साल २ लाख ६६ हजार टन थी

[श्री राजराज सिंह]

६८ हजार टन चीनी रिलीज की गई। मेरे पास इस समय वह आकड़े नहीं है कि कितनी शुगर फ्री सेल के वास्ते दी गई और कितनी टेंडर एलौटमेंट के वास्ते रिलीज की गई ?

मैं यह निवेदन करना चाहता हूं कि यह तो ठीक है कि पहले से ७२, ७३ हजार टन चीनी का उत्पादन कम हुआ लेकिन इस के बावजूद भी यह बात निश्चित है कि मुल्क में चीनी का काफी स्टाक है और इस बारे में मुल्क को बड़े मुगालते में रक्खा जाता है क्योंकि अगर हिसाब लगा कर देखा जाये तो मालूम पड़ेगा कि करीब २८ लाख टन चीनी का इस सीजन के लिये हमारे पास स्टाक है और इतना पर्याप्त मात्रा में चीनी का स्टाक रहते हुए भी कोई इस तरीके की आवश्यकता नहीं थी कि किसी तरह मुल्क में चीनी का संकट पैदा होता। लेकिन यह चीनी की मुल्क में कमी इस उद्देश्य से बताई जाती है ताकि चीनी बाहर एक्सपोर्ट कर के फारेन एक्सचेंज कमाया जा सके। पिछले साल जो फोरेन एक्सचेंज पैदा किया गया वह ढाई करोड़ का था लेकिन खाद्य मन्त्रालय बतलाये कि इस साल जो चीनी से उन्हों ने फारेन एक्सचेंज कमाया वह क्या ३५ लाख से ज्यादा है ? कुल साढ़े सात हजार टन चीनी बाहर भेजी गई है, बात आप करते हैं १ लाख टन चीनी बाहर भेजने की लेकिन हकीकत में बाहर साढ़े ७ हजार टन ही भेजी जाती है। आप के वहां पर इस फारेन एक्सचेंज कमाने के नाम पर जो कि मैं भी मानता हूं एक अच्छा उद्देश्य है लेकिन वास्तव में होता यह है कि उस की आड़ में मिल मालिकों से साठ गांठ कर के नाजायज तरीके से मुनाफा कमाया गया है। मिल मालिकों ने भी मुनाफा कमाया और खाद्य मन्त्रालय के सम्बन्धित अधिकारियों ने भी मुनाफा कमाया। अब खाद्य मन्त्री महोदय भी कहेंगे कि आप के पास इस के लिये क्या कोई प्रमाण है तो मेरा तो कहना है कि सबूत तो वह कमीशन इकट्ठे करेगा। लेकिन मेरा मोटा अन्दाजा है कि शुगर और वनस्पति के जो डायरेक्टर हैं, उन के अफसरान और कर्मचारियों ने कम से कम २१ लाख रुपया इन ६ महीनों के अन्दर रिश्वत की शक्ल में वसूल किया है, टेंडर आदि देने में वसूल किया है।

13 hrs

श्री विश्वनाथ राय (सारंगपुर). इस २५ लाख रुपये के बारे में क्या माननीय सदस्य के पास कोई खास मिसाल है ?

श्री राजराज सिंह अब मिसाल पेश करने के वास्ते मेरे पास वक्त नहीं है अगर जरूरत पड़ेगी तो मैं आप को मिसाल दे दूंगा। इस की जांच पड़ताल के लिये एक कमीशन बनाया जाय। मैं निवेदन यह कर रहा था कि जब वास्तव में मुल्क में कोई चीनी का संकट नहीं था तो क्यों इस किस्म का बनावटी संकट पैदा किया गया और यह दिखाया गया कि अब चूंकि संकट आ रहा है इसलिये चीनी के दाम बढ़ रहे हैं। इस तरह की बात पहले से क्यों नहीं कही। क्या आप को विश्वास था मिल मालिकों पर कि वह दाम नहीं बढ़ायेंगे और इसलिये आप चुप चाप बैठे रहे ? क्यों कोई कार्यवाही नहीं की गई ? जो सख्त कार्यवाही आप अब करना चाहते हैं वह उस वक्त क्यों नहीं की गई। आप ने पूरा स्टाक हाथ में ले लिया तो फिर टेंडर सिस्टम की बात चलती है। उस से क्या होने वाला है। आप राज्य सरकारों को चीनी देना चाहते हैं। आप पंजाब की सरकार को देना चाहते हैं। वह कहती है कि वह एक मन पर सात रुपये के हिसाब से मुनाफा करेगी। आप ने जो स्कीम बनायी है उस में १ रुपया प्रति मन का मुनाफा देने की बात है। बम्बई सरकार ने एक रुपया फी बोरी की योजना बनाई है। केन्द्र की सरकार और बम्बई की सरकार में मतभेद है, केन्द्र की सरकार

और पंजाब की सरकार में मतभेद है। क्या इस तरह से आप चीनी की समस्या को हल करना चाहते हैं? मैं निवेदन करना चाहता हूं कि देश में चीनी की कोई कमी नहीं थी। जब कहा गया कि चीनी की कमी होने वाली है इस समय भी चीनी की कमी नहीं थी। अब भी चीनी की कमी नहीं है। मंत्री महोदय को स्व० रफी अहमद किदवई की तरह साहस के साथ कहना चाहिये था कि देश में चीनी की कमी नहीं है और अगर जरूरत होगी तो हम बाहर से मगायेंगे और मुल्क के लिये उस की व्यवस्था करेंगे। मैं जानता हूं कि वह यह दलील देंगे कि उस वक्त यह बात कही जा सकती थी क्योंकि हमारी फारेन एक्सचेंज की पोजीशन खराब नहीं थी लेकिन आज यह बात नहीं कही जा सकती। लेकिन बाहर से एक टन भी चीनी मंगाने की जरूरत नहीं है। इस मुल्क में चीनी मौजूद है जिस का वितरण वह कर सकते थे और उन को करना चाहिये था। आज भी चीनी ४५, ५०, ५५ और ६० रुपये मन मिल रही है पर ३६ रुपये मन पर नहीं मिलती। इस से प्रकट है कि चीनी की कोई कमी नहीं है। अगर इस महंगाई का कोई कारण है तो वह आप की अव्यवस्था है। आप मिल मालिकों को नाजायज मुनाफा देना चाहते हैं। आप का शुगर और वनस्पति का डायरेक्टर चाहता है कि किसी तरह से नाजायज मुनाफाखोरी कायम रहे और उपभोक्ताओं से जितना ज्यादा वसूल किया जा सकता है किया जाये।

मैं यह भी बतलाना चाहता हूं कि यह ३६ रुपये मन का भाव किस तरह निश्चित किया गया। कहा जाता है कि यह इकानामिक प्राइस है जो कि चीनी के मिल मालिकों को दी जानी चाहिये। लेकिन आर्थिक मूल्य का भी कोई हिसाब होता है। मैं यह साबित करने को तैयार हूं कि यह आर्थिक मूल्य नहीं है। इसी तरह से भी आर्थिक मूल्य ३० रुपये ६५ नये पैसे से ज्यादा नहीं होता। जो आपने १३ रुपये ३ आने मन का कर चीनी पर लगाया है उस को मिला कर भी यह भाव ३० रुपये ६५ नये पैसे से अधिक नहीं हो सकता। आपने पहले ही इस में ५ रुपये ज्यादा का भाव निश्चित कर दिया है। लेकिन आज चीनी ४०, ४५, ५०, ५५ और ६० रुपये के हिसाब से बिकती है और आप कानों पर हाथ रखे बैठे हैं और कुछ करना नहीं चाहते।

अब कहा जाता है कि हम यह वितरण का काम राज्य सरकारों को दे देंगे। यह काम पहले से क्यों नहीं किया गया। मेरा निवेदन है कि पिछले ६ महीनों में चीनी के मामले में बड़ा गम्भीर गोलमाल हुआ है और इस पर सरकार को बहुत गम्भीरतापूर्वक विचार करना चाहिये। वैसे मेरा तो ख्याल है कि इस का और कोई इलाज नहीं हो सकता। इस उद्योग का तो राष्ट्रीयकरण ही होना चाहिये।

आपने एक कंट्रोल एरिया बनाया। आप ने उत्तर बिहार को कंट्रोल एरिया में रखा। लेकिन दक्षिण बिहार को उस में शामिल नहीं किया जहां साहू जैन और डालमिया की चार मिलें हैं। पंजाब की मिलों को कंट्रोल किया गया लेकिन दक्षिण भारत की पैरी एंड को० को कंट्रोल में नहीं लिया गया। यह शायद इसलिये किया गया कि जिन एरियाज में कंट्रोल किया गया वह सरप्लस एरिया है। मैं कहता हूं कि समस्या को हल करने का यह कोई ठीक तरीका नहीं है। मंत्री जी किसी चीज पर तब तक कंट्रोल नहीं कर सकते जब तक कि वह सब को एक नजर से न देखें। इस नीति का परिणाम यह हुआ कि दक्षिण भारत की मिलें मुनाफा करती रहीं। नार्थ इंडिया के मिल मालिकों ने सोचा कि हम भी मुनाफा क्यों न कमायें। इसीलिये मैं निवेदन करना चाहता हूं कि चीनी के उद्योग का राष्ट्रीयकरण करने की व्यवस्था की जाय। इस के लिये दलील यह

[श्री ब्रजराज सिंह]

दी जायगी कि हम मुआवजा नहीं दे सकते क्योंकि हम को ७२ करोड़ रुपया मुआवजा देना होगा अगर हम इस उद्योग का राष्ट्रीयकरण करें । मैं निवेदन करना चाहता हूं कि ये मिलें सैंकड़ों करोड़ रुपया का मुनाफ़ा कर चुकी हैं, इन का राष्ट्रीयकरण किया जा सकता है । अब इन्हें कोई सुझाव भी देने का प्रश्न नहीं है । आवश्यकता हो तो विधान बदलवाइये परन्तु राष्ट्रीयकरण कीजिये ।

इस के अलावा मैं यह भी कहना चाहता हूं कि जब तक आप गन्ने के उत्पादकों को २ रुपया प्रति मन के हिसाब से गन्ने का मूल्य नहीं देंगे तब तक आप को मिलों के लिये पूरा गन्ना नहीं मिलेगा । इसलिये मैं निवेदन करुंगा कि यदि आप अगले सीजन में चीनी का उत्पादन बढ़ाना चाहते हैं तो अभी से उत्पादकों को यह सूचना दे दीजिये कि उन को गन्ने का दाम दो रुपये मन दिया जायेगा । इतना दाम देने पर भी चीनी का मूल्य ३६ रुपये मन से ज्यादा नहीं होगा और चीनी का उत्पादन भी काफी हो जायगा ।

अन्त में मैं सिर्फ इतना और कहना चाहता हूं कि इस मामले की जांच करने के लिये एक कमेटी बनाई जाय । यह कमेटी एक हाई कोर्ट जज की सदारत में बने जिस में लोक-सभा और राज्य सभा का एक एक सदस्य भी हो और यह तीन सदस्यों की कमेटी इस सारे मामले पर विचार करे और यह पता लगाये कि क्या गोलमाल हुआ है और यदि गोलमाल साबित होता है तो मैं आशा करूंगा श्री जैन महोदय से कि वह अपने पद से इस्तीफा दे देंगे ।

इस के साथ साथ मैं यह भी निवेदन करना चाहता हूं कि आपने जो खंडसारी उद्योग पर टैक्स लगाया है उस से वह दब सकता है । उस की वही हालत है जोकि मिल के कपड़े के मुकाबले खादी की है । जिस तरह से आप खादी को सहायता देते हैं इसी तरह से आप को खंडसारी को भी सहायता देनी चाहिये ताकि यह उद्योग जारी रह सके ।

इन शब्दों के साथ मैं अपना संशोधन पेश करता हूं ।

Shri S. L. Saksena: Mr. Chairman, Sir, my amendment reads like this:

That at the end of the motion, the following be added, namely:

> "and recommends that a High Power Commission of Enquiry, consisting of either a Supreme Court Judge or an eminent public-man be appointed to investigate into the complaint, and to find out the causes of the present sugar racket which has already resulted in the exploitation of sugar consumers to the extent of Rs. 16 crores during the last five months and the evasion of income-tax on the profits so accruing to the sugar mill-owners".

Sir, I am very unhappy as I stand here today. A close friend of mine is in charge of the Ministry, but I have to be very blunt in exposing this racket. I have sent him a book on this subject. I think he has perused it. I also think he realises how keenly I feel about it. After all that, he repeats in this White Paper that the basic cause of the rise in sugar prices is the drop in production. That is utter falsehood. There cannot be a greater falsehood than this, and I should like to prove it.

He himself says that the amount of sugar production this year was 19·2 lakh tons. Last year it was 19·78 lakh tons. But that was up to October.

Therefore the position is this. There are still the months of September and October to go by. The production of sugar in the corresponding months of last year was about 50,000 tons. So, the total production of sugar up to October will be the same as in the last year.

Shri A. P. Jain: In the total production, the production in October, should also be taken into account.

Shri S. L. Saksena: What is the actual production. I want to know it.

Shri A. P. Jain: 19·05 lakh tons About 15,000 tons are produced in the special season.

Shri S. L Saksena: Then your figure of 20,000 tons is not correct For, you know the factories produced sugar up to 15th October In Uttar Pradesh they produced more than 1,000 tons. From the figures of last year, you will find that production went up to 15 lakh tons Anyhow, the figures can be checked with the Ministry Even then, there is a drop of production by about 0·78 lakh tons taking 19 20 lakh tons as the total production In other words, 15,000 tons is the amount of production by which the whole total is less, is that a sufficient drop to warrant a sugar racket? It has dropped, in fact, from 20 29 lakh tons to 19·75 lakh tons in the same order of 15,000 tons, roughly Was that not so last year? Is there no production now? Why should there be such a difference this year?

I shall tell you the reasons It is not the drop in production that is the reason The Minister himself has said that 19·20 lakh tons was the production for this year and according to him, 3·31 lakh tons was the carry-over from last month That means 22·51 lakh tons was the total quantity of sugar available in the country. When there were 22 lakh tons of sugar in the country, according to him, 21 lakh tons was the consumption There was already a surplus. That was about 1.51 lakh tons When there was a surplus, and he knew the surplus, why should there be this sugar racket? When you have got in your shops 22½ lakh tons in the whole country, and when you know that only 21 lakh tons are consumed, why should there be this racket? The reason is that the position was so manipulated or the releases were so manipulated that the prices shot up. That is the main reason for this difficult situation.

When there was an enquiry into the sugar situation in 1949, what was the finding of the Tariff Board? They said, and the Sugar Syndicate at that time, said that although there was more stock of sugar in the country than required It was managed in such a manner that the prices shot up. What was the result? There was an enquiry held by the Tariff Board It was presided over by a Judge, Shri Surendranath The result ultimately was that the Sugar Syndicate was dissolved Today, you are the man—I mean the Minister—who have ordered the releases from month to month. Today there is a racket as bad as the one of the last occasion Should not the Ministry be dissolved and should he not go out of the Ministry? If the Sugar Syndicate was guilty of fleecing the consumers to the extent of Rs 16 crores, why should not the Ministry be censured?

Sir, I lay a very serious charge, and it is a very serious charge to be brought here Therefore, without any whitewash, in order to prove that you are not guilty, you must appoint a Commission of Enquiry to find out what is the truth It is in your own interest that you must prove that it is not as a result of bungling that all this has happened. I lay a serious charge I say, that had the Ministry not bungled in the months of April, May, June and July, knowing that it was a season of marriages and they were hot months, and had released quotas of sugar just more than required, all this would not have happened Then it would not have resulted in these happenings

The Minister asked me to give instances, where black money was made Does he mean to say that the men who deal in them would come

out? If it was so, what will be the result? Now, I want to ask you one thing. The market rate for sugar was Rs. 1-8 per seer. Even today sugar is selling at Rs. 30 a maund in Punjab and in Pathankot. This is the figure ruling this morning. Today's quotation in the Times of India is Rs. 121-8-0 a bag in Kanpur. That is the wholesale price of sugar in Kanpur today. If Rs. 44 per maund is the rate of sugar today, you give a release of sugar by tender at Rs. 36 per maund. Rs. 8 is the margin. Do you think that the people in the Ministry are angels to give it without any consideration? When the sugar is released to people who have got the quotas, you will find that there are many people with the same name or firm who have got the sugar because they have greased the palm of the Ministry. I can give the names of the people if an enquiry is made, and lay it on the Table then, and I can tell you people with the same names and firms—not panwalahs—and even prostitutes have got quotas of sugar and they have sold them in the black market I have the names and if a Commission of Enquiry is appointed, I can give those names to the Minister This is not something which is secret. It is a thing that everybody knows in the Kanpur market, Delhi market, Hapur market. It is a serious scandal, and the public has been robbed of about Rs 16 crores, and if this thing continues, it will go still further

I can tell you the figures from your own statement The price of sugar in Kanpur market was Rs 42·55 Today it is Rs 44·55 I can tell you that if this thing continues, it will go up to Rs 50, Rs 60 or even Rs 70 by 1st September Where is the control price and where was it during the last five weeks? The quotas were given to the State Governments How does it happen that there is sugar even now in the market and is selling at the black market prices? Where does it come from? Last year you had not given quotas and you gave them only to the State Governments The reason for this situation is, as I have been saying earlier, the mills had been transferring their free stock to their own agents in the name of benami transactions and they are keeping this sugar. They are now selling at high prices. Once you do not release any free quotas, the result will be that in the month of December, only that sugar will sell which has been hoarded by the sugar millowners and given to the benami agents. That will sell at Rs. 80 to Rs. 100 per maund. You will see it in September or October if your control continues to be as it is, and it is absolutely ineffective.

Take the Kanpur market. I was there yesterday. You have given 1,475 tons of sugar for one month there. That means 14,000 bags. In the previous two or three months they have been selling 15,000 bags every month and about half of it went outside. 25,000 tons is the consumption of Kanpur city and Kanpur district as a whole But you have given only 50,000 bags. About 1,270 tons is the quota. They have not taken all the quota. They have taken about 16,000 bags. The result will be that there will be no sugar in the shops and in the market, and the black market will proper and the price of sugar will shoot up

Therefore, I say that you must be very careful in this matter It is not a thing which you can easily manipulate It is a thing which must be regulated and which must have normal channels I therefore recommend that if you have got sufficient sugar, more than what is required, then, your duty is to see that anybody can offer to purchase the sugar and let them get what they want. You should have done that. Ask the mill owners not to sell one single seer of sugar Let the entire sugar produced by the mills be taken over by the Government and the Government must sell it. When the mill-owners see that sugar is selling at Rs. 45 a maund, will they sacrifice so many rupees?

The Minister also has admitted that the sugar has been selling at Rs 8 to Rs 12. That means they have taken black money at the mill gate. I know the factories and I know the names of the mills In fact, the market quota-

tion went to show that Rs. 12 was the premium. Today, the prices range from Rs. 8 to Rs. 12, and these are the practices openly done. Yet, not a single action has been taken against any mill-owner. What is this? Your order is that more than one seer should not be consumed, and the statement says that there is a quota. Can you not prosecute the concerned people, and can you not prove that they are doing it? Everybody knows what is the price at which sugar is being sold.

Therefore, I charge you that you have not done your duty, you have not seen to it that the mill-owners do not indulge in such practices. I therefore demand that the mills should not be allowed to sell any sugar. Whatever they produce must be taken over by the Government and the Government must give to every trader from that stock You have got the system of licensing now It is very good You have got the system, and so, whatever the people demand, give them Then sugar will be sold at a cheaper rate and at a smaller cost At present, the sugar released through quotas sells at Rs 1 or Rs 1·02 That is much more than what the trader sells in normal times 15 annas was the price at which sugar was being sold about a year back

I have given the reasons why the present situation has come about What was the position last year? What is the difference between last year and this year? I say it is because of the change in the personnel—in the directorship in the Ministry When Shri Prasad was there, he gave quotas freely and gave tenders freely. In the months of July and August, the price fell below Rs 35 per maund But after the new Chief Director has come, there has been black-marketing and the price of sugar has risen. At the crucial moment, when people required more sugar, you hoarded it in the godowns in March and April. In April, we expected that there would be some more release of sugar, but it was not done. I have got the figures here. Last year, in the months of January, February, March, April, May and June, the quantity released was 8,82,000 or about 9 lakh tons. This year the quantity released was much less compared to last year. The release was about 2 lakhs tons less this year In the hot months, in the crucial months of May and June when sugar was badly needed if you had released enough sugar, the position would not have been so bad.

The Deputy Minister of Food and Agriculture (Shri A. M. Thomas): The Chief Director was on leave from the end of last month How is it that when he was officiating, the allotments were made? The hon. Member was saying that after a change in the post of the Chief Director, there has been some abuse

Shri S. L. Saksena: When did the new Chief Director take over?

Shri A M. Thomas: He was there only from December last.

Shri S. L. Saksena: If you see the price of sugar in November, it was below Rs 36 After December, the prices began to rise and black money has been charged All the tenders were not freely accepted. If licences had been issued to proper sugar merchants, there would not have been this serious situation My charge is, after that you have been discriminating in accepting tenders and black money has been charged Although there was less sugar product on last year, the prices were not so high last year

The sugar manual gives the amount of sugar consumed every year. Khandsari sugar is also consumed. In 1956-57, 1 lakh tons was the consumption of khandsari The total sugar consumption was 20 8 lakhs tons. 19·83 lakhs tons was the consumption last year This year the consumption has increased In fact, as Shri Rai stated, the consumption of khandsari has gone up to 3 lakh tons If you take all these things into account, you will find that this serious situation is

[Shri S. L. Saksena]

not so much due to the actual consumption as to the fact that sugar is hoarded by the sugar mill agents; they are keeping it for being sold in black-markets, because your control is not properly functioning.

Another thing I was surprised to find was this. The main markets for khandsari are Rajasthan and Punjab. But he has stopped the movement of khandsari from the 27th July even to the markets. That sugar is not here in U P. Its main markets are Rajasthan and Punjab, but in Punjab sugar is selling at Rs 62 per maund. So, unless you allow this sugar to go there, you will consume your white sugar and there will be famine again

I now come to the sugarcane prices. You say, if you increase the price of sugarcane, the price of sugar will go up. But what has happened now? You have yourself said that sugar was selling at Rs 47 per maund and the price of sugarcane is still Re 1-7-0 Is it not most cruel that the sugarcane-grower should not get any part of it? If you had not had this control and if sugar been sold at the high price, you would have got income-tax Now because of your control, there is loss of income-tax So, I demand that there should be an enquiry to find out how much money has been charged in the black-market, which mills have made that black-market money, how much money has been lost by the Government by way of income-tax and if the money has been there, how much of it must go to the cane-grower and to the sugar labourers whose wages are so low

Therefore, my motion is a very simple and a very urgent one. So, appoint an enquiry commission where I will give all the evidence to prove that the mill-owners are guilty. I say the mill-owners have been mainly responsible for the propaganda of scarcity. There is no scarcity, because, as I told you, there is only a drop of 0·5 lakh tons in production and for that there is so much propaganda of scarcity. Go back to 1952-53 when production was 12 lakh tons and consumption was 16 lakh tons. Shri Kidwai was able to keep the prices at a low level even in that year and sugar was selling at Rs. 30 per maund all over the country. So, when there was real scarcity, there was plenty; now when there is plenty, you say there is scarcity. I, therefore, say that it is necessary that you must take a leaf out of that book and see how he did it.

My only message is this. We have got enough sugar, but this control will not do Let every tender which comes freely from the licence-holders be honoured and everybody will get enough sugar. They will take it to the smallest corners and there will be no black-marketing. But if you do what you are doing now, the result will be this Sugar is already in the black-market It is hidden in the hoarders' godowns and they will sell it at black-market prices

Shri Heda (Nizamabad). Mr Chairman, Sir, I think the country is facing a strage predicament The consumer is paying much more for sugar than I think he had at any time imagined that he would have to pay The producer had not got the price he wanted Last year, some of us who represent the sugarcane-growing areas had desired that Government may fix a higher price for sugarcane, but it was rejected on the plea that the consumer should not suffer If you increase the price of sugarcane, the price of sugar will increase and the consumer will have to suffer. Because of this argument, we reconciled ourselves.

If you look at the position today, the country has suffered in the sense that if we had given a higher price for sugarcane, the producer would have produced more sugarcane not only in terms of greater yield per acre, but also in terms of getting

more areas under the cultivation of sugarcane. Thus, all concerned—the consumer, the producer and the country—have suffered. The production of sugar is not much less to create this scare. In fact, I very well remember that the Food Minister did well by assuring the House time and again that the carry-over stocks are quite enough and they would be able to cope up with the increased demand of the consumers. Not only that; he struck a cheerful note and said that the export of sugar, as it was programmed, will be carried out. So, we thought there would be no difficulty, though it was expected that there would be less production of sugar. No doubt the production of sugar fell below the estimated quantity, but even then the production even today has not fallen to such an extent as to have created this scare.

Obviously, therefore, there is something wrong in handling. Take the case of releases is the months of March and April. The sugar release had been to the extent of 1,70,000 tons each month. It is expected that the consumption this year would be to the tune of 21 lakhs tons; *i.e.* 1,75,000 tons per month. Particularly in the hot months, when there is greater demand for sugar, the releases had been less; they should have been a little more. When an unreal scarcity propaganda was created, thereby resulting in the sugar prices rising, I do not think anything would have been lost if you released a little more sugar, as we are doing now, *viz.*, 1,90.000 tons per month. Had we released this much sugar in March and April, the situation would have been better. We would have hardly needed 1,85.000 tons or something like that. So, the handling of the situation, particularly in the realm of releases, was not accurate to cope up with the situation. Another thing in this regard is that when we made the releases we thought that the sugar in that quantum will reach the consumer. That does not necessarily happen every time. We know how the market goes and how the cycle of the trade works. From the factory sugar is released, but then it is held by the wholesalers and the wholesalers can play with the consumers freely. It is a common knowledge practically in every big city—we have seen it—they create an artificial scarcity, charge more prices and thereby get higher profits. That has happened and this is the reason.

Therefore, taking advantage of the laws that we have in force, had we gone into the details of the trade at various levels, particularly at the wholesale level, and the agency between the wholesale and retail trade, had we kept a good watch over it and penalised some persons, the effect would have been quite different. Even now I feel that what is needed is not an enquiry neither full-fledged rationing; what is needed is a good watch over the trade to see that they play the game very fairly. The Minister should employ certain agencies, some people, to go incognito and find out the rates at different places at different levels and if there are any malpractices strong and prompt action should be taken against the anti-national elements that are working in the field. A few actions here and there may bring down the situation to normalcy and the scarcity which is so much felt now all over the country would not be felt.

Now I come to the question of zones. Some zones have been created. Take the case of the South. I belong to the southern zone which consists of the four States of Andhra Pradesh, Mysore, Madras and Kerala. They were put in one zone thinking that they are self-sufficient, so far as sugar is concerned. Though we are deficit in sugar, our deficit is not very much. Particularly, if we look at the expansion programmes of my State I am sure that in the near future the Southern zone will not only be not deficit but also will be surplus. But what happened this year? When a

[Shri Heda]

separate zone was created sugar started being smuggled out of the zone, particularly to Bombay, and this resulted in greater scarcity in those areas. I do not know anything about U.P. but it has affected us, because no sugar was allowed to be imported to our zone and some sugar was going out of the zone. The result was that prices increased and no action was taken to stop them So, we in the south zone had a little more difficulties I hope Government will take cognizance of this fact and allow more sugar to be taken to the south zone so that the position there may improve

Again, I make the same plea that what is required in the situation is a better watch over the trade, particularly over the wholesalers and the middle links, which are many times unnecessary between the wholesaler and the retail trade As some hon Members have said, many of these middle agencies are not real agencies They are not in the field; they are just bogus ones In these matters favouritism in various spheres of life does play its own part. However, if we keep a good watch over this and penalise the elements that are not falling into line, who are chargeing more rates than prescribed by the Government, the situation can be controlled better, the prices will come and we will not be faced with any difficulty

With these few remarks I oppose the motion, as well as the amendment moved by Shri S L Saksena

Shri S. M. Banerjee: I rise to support the motion of my hon friend, Shri Khushwaqt Rai I remember when this question was raised in this House the hon. Minister assured us that every possible step was being taken to check the prices This unfortunate statement of the fortunate Minister is before us and I have read it with keen interest. And while reading I found that the Ministry or the Central Government knew about this crisis. It was in sight in the month of February, 1959. It is also stated here that they had this knowledge that the mill-owners and the trade will exploit the situation. When I read the statement I could not possibly understand the helplessness of the Ministry, whether at the Centre or at the States. Were they actually helpless or was it a deliberate collusion with those magnates who are trying to create a situation in the country in which it would be difficult for anyone to function? I accuse the hon. Minister and his Ministry, because I find that such a crisis, which was already in sight, could have been avoided.

It is also said here that different figures were shown and some figures were not shown in the books and it was in the knowledge of the Food Ministry that the mill-owners were adopting these tactics I want to know the action taken against these mill-owners This is not the first time they wanted to create this situation, this is not the first time they wanted to exploit the situation, because they are exploiters by nature, it is in their blood and they go on exploiting any situation whether it suits the Government or not

So, my contention is this The Food Ministry has utterly failed in its duty Today, I am sorry to say that if you analyse every letter—I have analysed it—you will find that in the word "sugar" "s" stands for "scandal" "u" for "unchecked", "g" for "glaring" "a" for "amazing" and "r" for "real" So, "sugar" is an "unchecked, glaring, amazing but real scandal". And I am really sorry to see that even today the Minister feels like remaining as a Minister Don't you think that it is high time that the hon. Minister resigns peacefully and gracefully? The entire situation has been created in such a way that the common man does not feel that this crisis could not be averted.

In 1949 when there was a sugar racket—it is quite evident from the book written by my hon. friend, Shri S. L. Saksena—the hon. Prime Minister said in this very House.

> "What is more disturbing is not the fact that some of us have got sugar and some of us have not been able to get sugar but the fact that sugar position should deteriorate so rapidly and the situation could not be checked quickly. That is a fact which is very important and we should find out who is particularly responsible for this and who is guilty of it."

Some reasons have been attributed. They say that the sugar production was low and the quality of the cane was not good. May I mention for the information of the hon. Minister that in this very House when we the Members wanted to discuss why the Central Government stands in the way of increasing the price of sugar, especially when both the Houses in U.P. and Bihar have unanimously recommended that the price of sugarcane be increased to Rs. 1·75 it was rejected on the ground that the prices will be increased.

Even the hon. Prime Minister, who took part in that debate held the same view So, I can tell you that these mill-owners and these magnates not only hit the consumer but equally hit the cane-growers and the workers. The Government today is a silent spectator of the whole show.

Now, I take the distribution of sugar. In U.P. they have started distribution of sugar at the rate of .97 nP per seer through the fair price shops and they feel that the crisis in Uttar Pradesh has been solved. I cannot blame the State Government for that particular state because their crisis is much more than the sugar crisis. They are unable to solve that. But I can tell you that only 40 per cent of the population is getting sugar through these shops. How can a man feel that Government is doing something? He knows that if he can wait patiently in the queue he can get one, one and a half or two seers of sugar, but if he has money in his pocket, he can go into the market and purchase any quantity at the rate of Rs. 1|4|- or Rs. 1:25.

13.41½ hrs.

[MR. DEPUTY-SPEAKER *in the Chair*]

So, the production has been deliberately decreased by those who wanted to have fabulous profits. Nobody can deny that the sugar magnates made fabulous profits during the last so many years. I will read out how the profits increased. If you take Base 1939 as 100, these are the index figures:—

1942	126.7
1943	157.8
1944	133 5
1945	108 9
1946	122·4

Then I am quoting from 1951 onwards.

1951	221
1952	409
1953	419
1954	336
1955	413
1956	454 5

How can anyone believe that there is no profit? So, my submission is that the sugar magnates with the help of the Food Ministry both at the Centre and at the State level have created this situation.

In 1949, I remember, when a committee was appointed to go through this, they made certain observations. They asked that action should be taken against the Sugar Syndicate. The recognition of the Sugar Syndicate was withdrawn but later on it was restored with a mild warning. It was in the knowledge of all these people that such a situation may arise

[Shri S. M. Banerjee]

in the future also. The Sugar Enquiry Committee, 1950, which looked into the popular complaints against the Sugar Syndicate, reported as under:—

> "The Sugar Commission started investigation into these complaints and addressed the Sugar Syndicate on various matter in connection with it, but the Syndicate followed a policy of delay and evasiveness which clearly showed that the Syndicate was reluctant to submit to the control and supervision of the Sugar Commission."

It is quite evident that right at the beginning, in 1949, the same thing happened and today the sugar situation is almost out of control. You produce more otherwise there is no solution. But the workers are suffering at the hands of these mill magnates. Cane-growers are also suffering. The consumer has been hit and today a situation has arisen that a high power commission should go into this scandalous affair. Till it submits its report, it is necessary that the hon. Food Minister may kindly resign.

An Hon. Member: He has not suffered.

Shri S. M. Banerjee: Whenever a question is asked, whether it is about foodgrains or about fodder, whether it is about sugar or about salt, some statistics are given in this House. I have received a telegram from Trivandrum which says that the price there is Rs. 47-8 per maund. It is from the Chamber of Commerce there which is patronised by them. They say that this rate is unprecedented for the past many years. My information is that the biggest manufacturers there are Parry and Company. They were supplying sugar at a lower rate but they were asked, "You cannot do it; now you have to give at a particular rate." I do not know why, when the mill-owners were ready to give at a lower rate, they were asked to increase the rate.

Shri A. P. Jain: Who asked them?

Shri S. M. Banerjee: I do not know. Somebody must have asked. But, today the rate is Rs. 47-8-0 per maund.

So, let a commission be appointed. Let a judge of the Supreme Court be appointed, though I know that after the submission of the report the report may not be accepted because even the recommendations of the Supreme Court judges are not accepted or are flouted by this particular Government. So, my submission is that immediate steps should be taken....

Mr. Deputy Speaker: This ought not to have been said that the decisions of a Supreme Court Judge are not respected by the Government.

Shri Vajpayee: This is what is happening.

Shri V. P. Nayar (Quilon): Even when the judge himself is considered....

Mr. Deputy-Speaker: No authority in the country can afford to flout the decision of the Supreme Court. This should not be said.

Shri S. M. Banerjee: I can use the mild word 'ignored'.

Mr. Deputy-Speaker: Not that. The Supreme Court has got wide powers to see that its decisions are implemented, executed and obeyed.

Shri V. P. Nayar: The decision on the report of Justice Vivian Bose is fresh in our memory.

Mr. Deputy-Speaker: That is not a decision of the Supreme Court. Commissions are different.

Shri S. M. Banerjee: Another thing is about distribution.

Mr. Deputy-Speaker: The hon. Member should conclude now. 10 minutes have been given to each hon. Member.

Shri S. M. Banerjee: I want only another minute and a half. I have come to distribution. Regarding distribution, it says:

> "From the May release, the Uttar Pradesh Government decided to arrange for distribution of sugar through the Uttar Pradesh Co-operatives Federation...."

What is this Uttar Pradesh Co-operatives Federation? I have no time, otherwise I would have traced the history of those who have formed this Federation. They are the same men, the same exploiters but in a different form. The Sugar Merchants' Association in Kanpur itself issued a press statement, went to the District Magistrate and met the Food Ministers, both at the Centre and in the State. They say, "We promised to distribute sugar at a reasonable price of ·95 nP." They were not considered. They said, "No, we have got this Co-operatives Federation" because, I know that they are the offshoots, the branches of those mill-owners who have created this situation.

So, what I submit is that this commission should be appointed at the earliest. Till that time there should be proper check and this hoarding must stop. Uneven distribution of sugar must stop. There is a serious situation in the country and I again respectfully submit to my hon. friend, the Minister, whom I respect most, kindly to submit his resignation in the larger interests of the country because in that case the people will feel that the hon. Minister has taken it very seriously.

श्री झुनझुनवाला (भागलपुर) : उपाध्यक्ष महोदय, चीनी के व्यापार और उस के वितरण के बारे में बहुत कुछ कहा गया। अभी ही नहीं कहा गया है, बहुत वर्षों से कहा जा रहा है। लेकिन मैं देखता हूं कि वह मसला वैसा ही है कि आप कुत्ते की पूंछ को सीधा कर दीजिये पर वह फिर टेढ़ी हो जाती है। जिस मसले के ऊपर विचार किया जाता है, वह तो सुधरता नहीं, एक दूसरे के ऊपर आरोप लगाया जाता है। दोष किस का है यह भी मालूम तो हो ही जाता है परन्तु कोई अपने दोष को मंजूर करने के लिये तैयार नहीं।

बहुत कुछ कहना चाहता था लेकिन एक तो समय उतना नहीं है दूसरे मेरा स्वास्थ्य भी ऐसा नहीं है कि मैं उतनी बातें कह सकूं। मैं दो एक बातें कहना चाहता हूं। हमारे भाई सुशवक्त राय जी ने कहा कि जब हमारे भाई अजित प्रसाद जी जैन उन की बगल में बैठा करते थे तो वह कहा करते थे कि गवर्नमेंट कमेटिया वगैरह तो बनाती है लेकिन असली सवाल को माल्व नहीं करती। उन्हों ने उस समय कहा था कि कंज्यूमर से शुगर इंडस्ट्री ने आठ करोड रुपया ले लिया और पता नहीं चला कि वह कहा चला गया। उन्हों ने यह भी कहा कि जब से वह आये हैं तब से कमेटिया वगैरह भी नहीं होती हैं और वह कहते हैं कि १७ करोड रुपया गायब हो गया। मुझे नहीं पता कि कितने करोड़ रुपया गायब हो गया है। मेरे पास कोई आंकड़े नहीं हैं। परन्तु उन्हो ने जो बात कही, वह यदि सच है, तो मैं खाद्य मंत्री महोदय से कहूगा कि वह तलाश करें कि वह १७ करोड़ रुपया कहा गया है। यह बहुत जरूरी है। बहुत से भारी-भारी आरोप खाद्य मंत्री पर लगाये गये है।

Shri Goray (Poona): He has survived all that.

श्री झुनझुनवाला वे आरोप हमारी समझ में ठीक नहीं है। खाद्य मंत्री जी से यह भी कहा गया है और बार-बार कहा जाता है कि आप इस्तीफा दे दीजिये। मेरा सुझाव खाद्य मंत्री जी से यह है कि वह इस्तीफा कभी भी न दे। जो आरोप उन पर लगाये गये हैं, कांग्रेस के एक सच्चे मिनिस्टर की हैसियत से उन सब आरोपों

[श्री झुनझुनवाला]

का वह सामना करें और कमिशन के द्वारा और किसी भी तरह से पब्लिक को दिखला दें कि ये आरोप झूठे हैं ।

एक माननीय सदस्य वह एपायट करेंगे ।

श्री झुनझुनवाला वह एपायट करेंगे या नहीं, यह मैं नहीं कहता । इतनी देर में इस बारे में राय देना मुश्किल है, क्योंकि उस के पक्ष और विपक्ष में बहुत सी बातें कही जाती हैं । लोग पांच दस मिनट में इतने गैर-जिम्मेदार तरीके से इतनी बात कह डालते हैं, जिन से कोई नतीजा नहीं निकलता है । बनर्जी साहब कह बैठे कि शूगर इंडस्ट्री में वर्कर्ज को मारा जाता है, कन्ज्यूमर्ज को मारा जाता है, इस को मारा जाता है, उस को मारा जाता है । उन्होंने यह नहीं कहा कि जिलाया किस को जाता है । वह यह भी कह गये कि सुप्रीम कोर्ट के फैसले पर भी यहां पर कुछ ध्यान नहीं दिया जाता है, लेकिन बाद में उन्हों ने अपनी ग़लती महसूस की । बनर्जी साहब ने जो बातें कहीं, मैं नहीं कहता कि वे गलत हैं, मिथ्या हैं ।

श्री स० एम० बनर्जी : तजुर्बा कम है ।

श्री झुनझुनवाला : तजुर्बा तो सब से बेशी है । वह कानपुर में रहते हैं और काम करने आये हैं । लेकिन मैं यह कहना चाहता हूं कि जो बात कही जाये, अगर आंकड़ों से उस का समर्थन हो, तो उस का मूल्य होता है, नहीं तो सदन के उन लोगों पर, जो कुछ जानते नहीं हैं, बूझते नहीं हैं, कुछ विशेष पढ़ते नहीं हैं, एक अजीब तरह की छाप पड़ जाती है कि क्या है, क्या नहीं है । वे उलझन में पड़ जाते हैं ।

सवाल इस समय यह है कि शक्कर के दाम कब से बढ़े । मैं बाहर नहीं जाऊंगा । हमारे खाद्य मन्त्री जी की जो रिपोर्ट है, उसी पर दो चार बातें कह कर बैठ जाऊंगा । उन्हों ने कहा कि मिल-मालिकों को फ़रवरी मार्च में पता चल गया था कि प्रोडक्शन कम होगा, इसलिये वे लोग इस का खूब फायदा उठाने लगे । उन का यह केस नहीं है कि फ़रवरी मार्च में दाम बढ़े । उन्हों ने यह भी नहीं कहा कि उन को मालूम था या नहीं कि फ़रवरी मार्च में उन को पता चल गया कि प्राडक्शन कम होगा । हम को पता चला है कि उन को बार-बार चिट्ठियां लिखी गईं फरवरी मार्च में कि इस साल प्रोडक्शन कम होने वाला है और यह कारण है, जिस से प्राडक्शन कम होगा और अगर प्राडक्शन कम होगा, तो स्वभावत चीनी के दाम ऊंचे जा सकते हैं । हम को यह खबर मिली है । वह चुपचाप बैठे रहे । उन्हों ने कोई हां न कुछ भी नहीं कहा । जब ९ मई को कालिंग एटेंशन नोटिस दिया गया, उस समय भी जवाब यही मिला कि नहीं, चीनी हमारे पास इतनी है कि दाम ऊंचे जाने का कोई भी डर नहीं है ।

श्री सुशवक्त राव यह कहा था कि साल भर का काम चल जायगा ।

श्री झुनझुनवाला यदि उन्हों ने यह कहा कि साल भर का काम चल जायेगा, तो यह सही बात थी और हमारे फूड मिनिस्टर और फूड मिनिस्ट्री यदि सावधान रहती, तो साल भर का काम चल जाता और कोई कमी-बेशी न होती । मैं यह नहीं कहता कि इंडस्ट्री और ट्रेड एक दम से पाक है । मैं नहीं जानता । मैं ने फिगर्ज भी नहीं देखीं । मैं उन्हों की बात बतलाता हूं । लेकिन कहीं पर तो यह गलती हुई है । माननीय सदस्य ही विचार करें । मैं फूड मिनिस्ट्री की रिपोर्ट के बारे में कहना चाहता हूं । मिनिस्टर साहब के स्टेटमेंट में यह बात ठीक है कि मई के पहले हफ्ते तक सब दाम एक दम से ठीक थे । उन में कोई भी ऊंच-नीच का सवाल नहीं था । यद्यपि श्री सुशवक्त राय ने बताया है कि नहीं, फ़रवरी मार्च में दाम एक, सवा रुपये बढ़ गये थे,

लेकिन इस के बारे में उन्हों ने आंकड़े नहीं दिये । यदि दिये होते, तो मेरे पास आंकड़े थे, मैं उन से कम्पेयर कर लेता और शायद कुछ कहता । बिना आंकड़ों के कोई स्टेटमेंट करने से कोई लाभ नहीं है । उस के बाद उन्हों ने यह बात भी साफ़ कर दी--

"The Food Minister has made it clear that from the July release, the entire production has been taken over by the Government in the controlled area for direct allotment. In effect, therefore, if there was any exploitation by the factories or if they have charged higher prices as alleged, this was restricted to only two releases made by the Government, one towards the end of May and the other towards the end of June. In these releases, the total quantity released was 375,000 tons"

इस आंकड़े की तरफ मैं ध्यान दिलाना चाहता हूं कि ३७५,००० टन उन्हों ने दो रिलीजिज में रिलीज किये थे । इस में से केवल १,१६,५६२ टन कंट्रोल्ड फ़ैक्टरी से रिलीज कराई गई और बाकी रिलीज हुई फूड मिनिस्ट्री के परमिट में या कोटा से—उस को क्या कहते हैं ?—जिस के बारे में यहां तक हुआ कि फूड मिनिस्ट्री में लाठी-चार्ज हुआ ।

श्री वि० ला० सक्सेना : टेंडर कहते हैं ।

श्री मुनमुनचाला : शायद टेंडर कहते हैं । मैं नहीं जानता ।

उपाध्यक्ष महोदय : जो भी कहते हों । वे समझ गये । अब माननीय सदस्य आगे चलें ।

श्री मुनमुनचाला : उपाध्यक्ष महोदय, वे समझे नहीं हैं । बिना समझे वह कहने लगते हैं कि तुम गलती करते हो ।

14·00 hrs.

३,५५,४३८ में से कुछ तो परमिट, टेंडर के जरिये मिला । कुछ उन की फ़ैक्टरियां थीं—कारण उन्हों ने नहीं बताया है—साहू-जैन की बिहार में फ़ैक्टरी थी, साउथ इंडिया में सभी फ़ैक्टरियां थीं । कुछ वहां से रिलीज हुआ था और कुछ रिलीज परमिट, टेंडर, से किया गया था । तो इस में से यह आंकड़े याद रखिये कि ३२ पर सेन्ट जो रिलीज था वह तो था कंट्रोल्ड फैक्टरीज से, जिन के ऊपर सारा दोष हमारे फूड मिनिस्टर साहब ने अपने स्टेटमेंट में लगाया है और ६८ पर सेन्ट जो था वह उन दो जगहों से आया था । कुछ तो उन की पेट फैक्ट्रियां थीं जिन के ऊपर उन्हों ने कंट्रोल नहीं किया था, दूसरी चीज यह थी कि जिन-जिन को चाहते थे उन को परमिट देते थे । वहां से यह चीज आई । जब करीब ६८ पर सेन्ट इस तरह की चीजें उन के हाथ में थीं तो मेरी बुद्धि तो यही कहती है कि ६८ पर सेन्ट जो चीनी थी वह सब चीज को कंट्रोल करती थी, ३२ परसेन्ट वाले नहीं कर सकते थे । तो यदि कोई अन्याय हुआ है तो वह ६८ पर सेन्ट वालों की तरफ से हुआ है, ३२ परसेन्ट वालों की तरफ से नहीं हुआ । हां यह जरूर है कि इस के साथ यह बात भी हुई कि आखिर ३२ पर सेन्ट वाले भी पीछे क्यों रहते । अगर उन को ज्यादा मिलेगा तो वह उसे लेंगे ही । मैं फूड मिनिस्टर साहब से पूछूंगा कि आखिर यह क्या बात है कि आप के ऊपर इतने चार्जेज लगाये गये हैं परमिट आदि के बारे में और आप दोष दे देते हैं इंडस्ट्रियलिस्ट्स के ऊपर । जैसा मैं ने कहा कि यह कोई पूरी तरह से साफ नहीं है, लेकिन आप को कम से कम इम्पार्शल तरीके से सब कुछ संसद् के सामने रख देने चाहिये जिस से संसद् विचार कर सके कि क्या बात है । अगर आप संसद् के लोगों को अंधेरे में रखकर तरह तरह की बातें

[श्री शुनशुनवाला]

करने लगेंगे तब तो कोई शुगर प्राब्लेम हल होने वाली है नहीं। आप सरकार कहती है कि हम कंट्रोल कर के सब चीजों का ठीक तरह से वितरण कर सकते हैं, लेकिन अगर उन का इसी प्रकार का तरीका रहा और यदि इसी तरह से मिसलीडिंग स्टेटमेंट लोगों के सामने आते रहे तो मैं नहीं समझता कि जो सवाल आप के सामने है उसे आप किस तरह से हल कर सकते हैं। केवल इस तरह के मिसलीडिंग स्टेटमेंट दे कर अगर हमारा समय निकाल देना चाहते हैं तो ठीक है, वह तो निकलता ही है और मुझे कुछ नहीं कहना है। जैसा मैं ने कहा, मुझे और कुछ नहीं कहना है, मेरा केवल यही कहना है कि हमारे फूड मिनिस्टर साहब जो स्टेटमेंट वगैरह करते हैं उन में गल्तियां और बिल्कुल मिसलीडिंग स्टेटमेंट नहीं होने चाहियें, जोकि अन्धे आदमियों को भी जरा सा देखने से मालूम हो जाय कि इस में गल्तियां हैं। उन का परिणाम केवल यही हो सकता है। उन्होंने स्टेटमेंट दे दिया है कि फलां-फलां जगह देखो, दाम कम हो गये हैं। उन्होंने कलकत्ते का उदाहरण दिया है कि वहां पर दाम कम हो गये, कानपुर का उदाहरण दिया है जहां पर कि हमारे स० मो० बनर्जी साहब बराबर रहते हैं। इसी तरह से कई जगहों के कोटेशन दे दिये हैं कि यहां यहां पर चीनी के दाम कम हो गये हैं, अब यह हमारे कंट्रोल में है। यह तो बहुत अच्छी बात है कि आप के कंट्रोल में यह चीज आ गई है, इस से अच्छी कोई और बात नहीं है परन्तु फूड मिनिस्टर साहब जानते हैं, पता नहीं हम को वह बतलाने को तैयार हैं या नहीं, लेकिन मैं उन से पूछना चाहूंगा कि आखिर कलकत्ते में दाम गिरने के कारण क्या थे? आप ने इतनी चीनी जल्दी जल्दी वहां भिजवा दी। साफ है कि जहां पर माल अधिक आ जावेगा वहां पर दाम कम हो जायेंगे। परन्तु आप इस बात का खयाल रखें, यद्यपि वह जानते हैं कि उन को खयाल रखने की दरकार नहीं है। जो कुछ भी है उन की जानकारी में है, हो सकता है कि कुछ बातें न मालूम हों क्योंकि उन को शायद उसे देखने का वक्त न मिला हो तो मैं कहना चाहता हूं कि जब कलकत्ते से चीनी मुफस्सिल में जाती है, जैसे बर्दवान है, अन्य-अन्य जगह हैं, जिन के फिगर्स हमारे पास हैं, वहां पर दाम बढ़ जाते हैं। वहां पर दाम अभी भी ज्यादा हैं। श्रीमती रेणु चक्रवर्ती होतीं तो बतलातीं कि वहां पर मुफस्सिल में दाम अभी भी काफी अधिक हैं। कलकत्ते में दाम इसलिये कम हो गये कि वहां पर चीनी चली गई। तो यह तो एक तरह की मिसलीडिंग चीज है।

दूसरे मैं उन से यह भी पूछना चाहूंगा कि जहां पर दाम बढ़े हैं वह तो उन्होंने बतला दिये, लेकिन जहां पर अभी भी दाम बढ़े हुए हैं वे उन्होंने क्यों नहीं बतलाये? सौराष्ट्र में दाम खूब बढ़े हुए हैं, राजस्थान में दाम बढ़े हुए हैं, मध्य प्रदेश में बढ़े हुए हैं। मैं आप को आंकड़े दे कर बतलाता हूं कि इन जगहों पर कितने दाम बढ़ गये हैं।

रायपुर (म० प्र०)	४७.२७ रु०
बिलासपुर	४६ ५५ रु०
राजस्थान	४७ रु० से लेकर ४९ रु० तक
सौराष्ट्र	५४ रु० से ५५ रु० तक

क्या यह मंत्री जी के लिये ईमानदारी की बात थी कि वे उन्हीं जगहों के आंकड़े दें जहां पर दाम किसी वजह से नीचे आ गये हैं और वे आंकड़े न दें जहां पर कहा जाता है कि दाम बढ़ गये हैं?

उपाध्यक्ष महोदय : माननीय सदस्य साहब पूछ रहे हैं मिनिस्टर साहब से जोकि देखते हैं न उन की तरफ और न मेरी तरफ।

श्री बृजभूषणलाल : इस का सम्बन्ध अधिकतर उत्तरदेश से है इसलिये मैं उन की ओर देख रहा था । माफ कीजियेगा कि मैं आप की तरफ नहीं देख रहा हूं । मैं तो अपने उत्तरदेश से यह कह रहा था जब इस तरह की बातचीत हो रही है और मिसलीडिंग स्टेटमेंट्स सरकार की तरफ से सदन के सामने रक्खे जा रहे हैं तब सदन को सरकार से कहना चाहिये कि इस तरह की चीजें सदन के सामने नहीं आनी चाहियें ।

उपाध्यक्ष महोदय : श्री काशीनाथ पांडे । लेकिन मैं माननीय सदस्य से यह विनती करूंगा कि वह दस मिनट में अपना भाषण समाप्त कर दें । अगर हर एक मेम्बर ऐसा इरादा कर के तो बहुत से मेम्बर बोल सकेंगे ।

श्री काशीनाथ पाण्डे (हाता) : माननीय उपाध्यक्ष महोदय, चीनी की बिक्री के सम्बन्ध में जो माननीय खाद्य मंत्री का स्टेटमेंट हुआ है, उसे मैं ने बड़े ध्यान से देखा है और मैं यह समझता हूं कि आज जो समस्या हमारे यहां चीनी के दाम बढ़ जाने की है वह अगर इसी साल तक रहे तब तो गनीमत की बात होगी । लेकिन हम को इस बात पर विचार करना है कि क्या यह भाव इस साल तक रहेंगे, इस से और ज्यादा तो नहीं बढ़ेंगे । इस की क्या कोई उम्मीद है ? मैं इस बात पर आप का ध्यान दिलाना चाहता हूं कि आखिर चीनी के दाम बढ़े क्यों ? इस के कारण क्या थे ? मैं समझता हूं कि खाद्य मंत्रालय चाहे कोई स्टेप ले, लेकिन अर्थशास्त्र के सिद्धान्त के अनुसार वह दाम बने नहीं रह सकते । सप्लाई और डिमान्ड की थ्योरी बराबर इस बारे में भी लागू होती है । जब चीज जरूरत से कम होगी तो उस के दाम बढ़ेंगे और जब चीज जरूरत से ज्यादा होगी तो दाम घटेंगे ।

पंडित कु० चं० शर्मा (हापुड़) : यह आप सोलहवीं सदी की बात कर रहे हैं ।

श्री काशीनाथ पाण्डे : मैं तो पुराना आदमी हूं इसलिये वैसी ही बात कहूंगा । आप नई चीज बताइये ।

मैं एक चीज आप के अर्ज करना चाहता हूं । आज से दो साल से बराबर मंत्रालय के सामने यह बात आ रही है और उन्होंने अपने स्टेटमेंट में खुद यह दिया है कि इंडस्ट्रियल दि इयर १९५६-५७, १९५७-५८ और १९५८-५९ जो प्रोडक्शन कैपेसिटी फैक्ट्री की थी वह थी १७.३ लाख टन, १८.७ लाख टन और २० लाख टन । लेकिन प्रोडक्शन क्या हुआ ? जिस साल कैपेसिटी कम थी उस साल प्रोडक्शन हुआ १९.२ लाख टन लेकिन जिस साल कैपेसिटी बढ़ गई थी उस साल प्रोडक्शन बहुत कम था १७.३१ लाख टन । उस साल प्रोडक्शन हुआ २२.२९ लाख टन दूसरे साल हुआ १९.७८ लाख टन और तीसरे साल हुआ १९.२ लाख टन । इस का मतलब यह है कि जो कैपेसिटी हमारी फैक्ट्रियों की है उस में भी अगर हमारे पास सप्लाई गन्ने की हो तो हम ज्यादा चीनी बना सकते हैं । बजाय इस के जो हमारी सेकेन्ड फाइव इयर प्लैन का टार्गेट था २५ लाख टन की कैपेसिटी का, उन्होंने यह भी दिया है कि फारेन एक्स्चेन्ज की कमी की वजह से उस कैपेसिटी तक भी हम नहीं जा सके हैं । लेकिन जो है उसमें थोड़ा सा ऐक्सपेंशन हुआ है लेकिन जो है उससे आप यह समझ जायेंगे कि जिस समय १७.३ लाख टन की कैपेसिटी थी उस साल हमारा प्रोडेक्शन हुआ है २२.९२ लाख । मैं यह कह सकता हूं अगर गन्ने की सप्लाई हमारे यहां हो तो चीनी हम जरूरत के मुताबिक पैदा कर सकेंगे । जो आंकड़े मिनिस्ट्री की तरफ से दिये गये थे इस साल के बारे में कि २१ लाख टन की हमारी कंजम्प्शन कैपेसिटी है, हम यह समझते हैं कि यह कैलकुलेशन हमारे खयाल से गलत है । कंजम्प्शन की कैपेसिटी हमारे देश की बढ़ गई है और वह के न एक सामंजस्य स्थापित करने के लिये दी गई है लेकिन अगर हम वहीं जाय में तो उसका नतीजा यह है कि हमारा जो

[श्री काशीनाथ पांडे]

प्रोडेक्शन है वह १६.२ लाख टन है और जो कमी है उसका ज्ञान सारे कैपिटलिस्ट्स को है और उसका फायदा तमाम लोगों ने उठाया। मैं यह अर्ज करना चाहता हूं कि हमारे यहां जो चीनी का प्रोडेक्शन कम हुआ उससे यह नहीं समझा जाना चाहिये कि गन्ना कम था। हमारे देश में गन्ने की कमी नहीं है और गन्ने की कमी के कारण हमारे देश में यह क्राइसिस नहीं हुआ। मैं मिनिस्टर साहब के इस कथन को पहले तो समझ सकता था कि जो १ रु० ४ आने व १ रु० ६ आने मन गन्ने का दाम फिक्स किया है वह इस बात को ध्यान में रखते हुए किया है कि कंज्यूमर्स को उपभोक्ताओं को सस्ती चीनी मिले लेकिन हम देखते हैं कि इसके बावजूद ब्लैक चीनी किस भाव में बाजार में मिल रही है। मुहीउद्दीनपुर फैक्टरी की चीनी साढ़े १४ आने सेर मिलती है और वहां अब भी इसी भाव के कंट्रोल रेट पर चीनी मिलती है लेकिन फैक्टरी के बाहर चले जाइये वहां चीनी १ रुपये और ६ नये पैसे प्रति सेर के भाव से मिल रही है। अब यह जो ३१ रुपये मन का भाव तय किया गया है उनसे ६ रुपये ४० नये पैसे कंज्यूमर्स को देना पड़ता है। इसका मतलब यह है कि मेरठ के आसपास ४२ रुपये और ४० नये पैसे मन चीनी बिक रही है। मैं कहना चाहता हूं कि जब किसान गन्ने का दाम बढ़ाने की बात करता है तब तो आप कहते हैं कि हम उसको इतना बैलेंस्ड रखना चाहते हैं ताकि चीजों के दाम न बढ़ें लेकिन मैं पूछना चाहता हूं कि किस के फायदे के लिये आपने यह ३६ रुपये चीनी का दाम तय किया है? हम लोग तो एक रुपये सेर की चीनी खरीद रहे हैं और ऐसी अवस्था में मेरी समझ में यह बात नहीं आई कि सरकार गन्ने का दाम क्यों कम बनाये रखना चाहती है?

पिछले साल जब खंडसारी के ऊपर एक्साइज ड्यूटी लगाने की बात थी तो हमारे अपोजीशन के माननीय सदस्यों ने भावुकता में आकर उसका कड़ा विरोध किया था और सरकार की उसके लिये आलोचना की थी। मेरा निवेदन है कि जब कहीं किसी चीज की अचछ से हमारी एकोनामी पर असर पड़े तो उस पर अकर कमाल करना चाहिये। अब खंडसारी इंडस्ट्री के बारे में खुद कमेटी ने लिखा है कि यह वेस्ट इंडस्ट्री है। खंडसारी की इंडस्ट्री स्मौल स्केल इंडस्ट्रीज में एक वेस्ट इंडस्ट्री समझी जाती है। १०० मन गन्ने में खंडसारी केवल ६-७ मन निकलती है जब कि शुगर फैक्टरी में १०० मन गन्ने में १० मन चीनी निकलती है।

एक माननीय सदस्य: गुड़ के बारे में आपका क्या विचार है?

श्री काशीनाथ पाण्डे: मैं मानता हूं कि गुड़ इंडस्ट्री को इनकरेज करना चाहिये लेकिन खंडसारी को तरक्की नहीं देनी चाहिये। मेरा तो ऐसा मत हो सकता है कि आप इस मत के न हों और आपका इसके विपरीत मत हो। जब तक खंडसारी उद्योग को आप अच्छे तरीके से कंट्रोल नहीं करेंगे जो अवस्था इस वक्त है अगले साल वह बेहतर नहीं हो सकती। आपने इस साल खंडसारी पर एक्साइज ड्यूटी तो लगा दी लेकिन इसकी प्राइस पर कोई कंट्रोल नहीं है और खंडसारी बहुत ज्यादा भाव में बिक रही है। अब जब खंडसारी ज्यादा भाव में बिक रही हो तो कोई चीनी मिल मालिक कोई फिलैंथ्रोपिक सोसाइटी कोई क्रैडिट सोसाइटी तो चला नहीं रहे हैं, उन्होंने कोई धर्मखाता तो खोला हुआ नहीं है कि वह सस्ती दर पर चीनी बेचें। वह चीनी का जो व्यवसाय कर रहे हैं वह बिजनेस लाइंस पर कर रहे हैं जाहिर है कि जब उन्हें अच्छा मुनाफा मिलेगा तभी वह इन मिलों को चलायेंगे वरना घाटा सहने के लिये थोड़े ही चलायेंगे। वह ब्लैक मार्केटिंग से भी नहीं डरते हैं। इसलिए सत्य बात को हमें ग्रहण करना चाहिए और इस बात की कोशिश करनी चाहिये कि ऐसे उपाय हम करें जिससे खंडसारी इंडस्ट्री को हम ठीक तरीके से कंट्रोल कर सकें।

दूसरी बात मैं यह कहना चाहता हूं जैसा कि फूड मिनिस्टर साहब ने यह स्टेटमेंट दिया है कि

the main cause for shortage of sugar, drop in production has been mainly in Western U.P. due to poor crop and diversion of cane to gur and khandsari

हमारे देश में हर जगह गन्ना पैदा होता है लेकिन फूड मिनिस्टर साहब इस बात को स्वीकार करते हैं कि वेस्टर्न यू० पी० की फैक्टरीज अपना क्रशर प्ले नहीं करतीं और यह बात सब से ज्यादा खंडसारी और दूसरी चीजों के बारे में कही जा सकती है। चीनी अगर कम बने तो उसका असर तमाम देश पर पड़ता है। माननीय सदस्य ने बतलाया कि ५५ रुपये मन चीनी सौराष्ट्र में मिलती है तो मैं समझता हूं कि इस में कोई गलत बात नहीं हो सकती। हम समझते हैं कि यह सत्य बात है और हम मिनिस्टर महोदय की राय देना चाहते हैं कि आप इस तरीके से प्राइस कंट्रोल करके चीनी की चीजों को कंट्रोल नहीं कर सकते हैं और मैं आप से कह देना चाहता हूं कि शुगर फैक्टरीज के सामने अगले साल और भी क्राइसिस आयेगी अगर आप गन्ने का दाम नहीं बढ़ावेंगे। गन्ने के चूंकि मुनासिब दाम काश्तकारों को नहीं मिल रहे हैं इसलिये मैं देखता हूं कि गन्ने की एक्रेज क्रौप में भी कमी हो रही है।

दक्षिण में बम्बई में वहां पर ४ आने मन के हिसाब से गन्ने का दाम देते हैं। सिस्मा फारमूला के हिसाब से गन्ने के दाम ज्यादा मिलते हैं। वहां पर ईल्ड कम है और दूसरी बात यह है कि रिकवरी कम होने से और ईल्ड कम होने से किसान भी परेशान हैं। दूसरी तरफ वे किसान जिनको कि गन्ने के ज्यादा दाम मिलते हैं वे चीनी ज्यादा दाम में खरीदते हैं इसलिये मैं समझता हूं कि फूड मिनिस्टर साहब को इस बारे में विचार करना चाहिये। समस्या गम्भीर है। चीनी के बढ़े हुए दाम कंज्यूमर देने को तैयार हैं बशर्ते कि उसकी कोई एक लिमिट हो। हम गन्ने के मुनासिब दाम काश्तकारों को दें ताकि शुगर फैक्टरीज में हम उतनी चीनी पैदा कर सकें जो कि हमारी कंजम्पशन कैपेसिटी को देखते हुए काफी हो। यही मेरे चन्द एक सुझाव हैं।

श्री वाजपेयी : उपाध्यक्ष महोदय, इस बात से इंकार नहीं किया जा सकता कि देश में जिस गति से चीनी की मांग और खपत बढ़ रही है उसके अनुसार हम चीनी का उत्पादन नहीं कर रहे हैं। उत्पादन बढ़ाने का एक ही तरीका है कि हम घनी खेती करें और गन्ने की क्वालिटी को सुधारें।

यह खेद का विषय है कि चीनी का उत्पादन बढ़ाने की घोषणा करने के बाद भी सरकार इस प्रकार की परिस्थितियां उत्पन्न करने में असफल रही है जिनमें गन्ने का उत्पादन और उसके फलस्वरूप चीनी के उत्पादन में वृद्धि हो सके। श्रीमन्, मेरे चुनाव क्षेत्र में दो चीनी की मिलें हैं। मैं देखता हूं कि उनका उत्पादन कम हो रहा है क्योंकि उनको पर्याप्त मात्रा में गन्ना नहीं मिलता। पहले कहा गया था कि वहां ट्यूबवैल्स लगाये जायेंगे जिनकी कि सिंचाई के परिणामस्वरूप गन्ने की पैदावार बढ़ेगी। बाद में वहां नहर लाने की बात हुई और आज स्थिति यह है कि नहर की नहीं आई और चूंकि नहर आने वाली थी इसलिये ट्यूबवैल भी नहीं लगे। नतीजा यह हो रहा है कि पैदावार घट रही है किन्तु यदि देश में उत्पादन कम है और मांग अधिक है तो यह स्पष्ट है कि हम ने वितरण की व्यवस्था ठीक रक्खी है और मेरा आरोप है कि खाद्य मन्त्रालय चीनी के वितरण की समुचित व्यवस्था नहीं कर सका है।

इस सम्बन्ध में मेरी सब से पहली आपत्ति यह है कि जब देश में चीनी का अभाव था और मंत्री महोदय इस बात को अनुभव करते थे कि चीनी की खपत बढ़ रही है तो चोरी की विदेशी मुद्रा के लोभ में चीनी को सबसिडाईज्ड करके, चीनी के निर्यात करने का जो निर्णय किया गया, मैं समझता हूं कि वह बड़ा गलत

[श्री वाजपेयी]

निर्णय था, अदूरदर्शितापूर्ण था और अव्यवहारिक था ।

देश की जनता अधिक मूल्य पर चीनी प्राप्त करे और हम चीनी को विदेशों में भेजें विदेशी मुद्रा की प्राप्ति के लिये मैं इसे कोई व्यावहारिक नीति नहीं मानता । विदेशी मुद्रा का महत्व है किन्तु आज चीनी सर्वसाधारण के जीवन का अंग बन गयी है, अब उसे विलास या ऐश्वर्य की वस्तु कह कर टरकाया नहीं जा सकता । चाय के साथ चीनी सुदूर गांवों तक पहुंच गई है, और यदि हमें अपने देश की जनता के जीवन की आवश्यकताओं को पूरा करना है तो विदेशी मुद्रा की प्राप्ति के लिये हमें अन्य मार्ग का अवलम्बन करना चाहिये था । चीनी के निर्यात का विचार इस दृष्टि से बड़ा गलत साबित हुआ है । लेकिन जब चीनी के भाव बढते हैं, बाजार में संकट उत्पन्न होता है । उपभोक्ता को अधिक मूल्य देना पड़ता है, तो हमारी सरकार एक घिसा घिसाया, पिटा पिटाया उत्तर देती है और सारी जिम्मेदारी उद्योग और व्यापार पर डालकर अपना बचाव करना चाहती है । मैं जानता हू कि उद्योगपति दोषी हैं, उन्होंने चीनी की अनुचित मुनाफाखोरी की है, और व्यापारियों ने भी जनता को लूटने में कोई कसर नहीं की है, मगर हमारी सरकार जो इस सदन से सब प्रकार के अधिकार प्राप्त कर चुकी है, कर सकती है । उद्योगपतियों और व्यापारियों पर नियंत्रण लगाने के लिए, वह सरकार संकट उत्पन्न होने पर इस सदन में आकर कहे कि इसके लिये व्यापारी जिम्मेदार हैं । उद्योगपति जिम्मेदार हैं । तो यह हमी की बात है । इस सदन ने सरकार को काफी अधिकार देने में संकोच नहीं किया । यदि उन अधिकारों के बावजूद सरकार उद्योगपतियों और व्यापारियो पर नियंत्रण नहीं लगा सकी तो यह सरकार की दुर्बलता है । यह सरकार का दायित्व है । और सरकार जनता के रोष से बचने के लिये उद्योगपतियों या व्यापारियों को बलि का बकरा बना कर अपने पाप से बच नहीं सकती । मेरा निवेदन है कि जब सरकार के पास अनुचित मुनाफाखोरी को रोकने के लिये पर्याप्त अधिकार थे तो उनको काम में क्यों नहीं लाया गया । सरकार स्टाक जब्त कर सकती थी । क्या मिल मालिकों का या व्यापारियों का स्टाक जब्त किया क्या ? कौनसा कदम उठाया गया उनके विरुद्ध ? मैं समझता हूं कि इस दृष्टि से सरकार ने कोई ठोस कार्रवाई नहीं की है । और उसके दुष्परिणाम हमारे सामने है ।

दूसरी आपत्ति मेरी यह है कि जब चीनी के भाव नहीं बढ़े थे, तब तक चीनी की जो मात्रा रिलीव की जाती थी वह मात्रा अधिक थी, लेकिन अप्रैल से जो मात्रा रिलीव की गयी वह कम कर दी गयी । २२ जनवरी सन् १९५९ को १ लाख ६५ हजार टन चीनी मुक्त की गयी थी लेकिन २९ अप्रैल सन् १९५९ को १ लाख ४० हजार टन चीनी मुक्त की गयी । मैं जानना चाहता हूं कि जब भाव बढ़ेंगे इस तरह के आसार बाजार में थे तो फिर चीनी कम मात्रा में क्यों रिलीव की गयी । इसकी छानबीन बहुत आवश्यक है ।

तीसरी आपत्ति टेंडर सिस्टम के सम्बन्ध में है । अनेक सदस्यो ने इस पद्धति के विरुद्ध बातें कही हैं । और मैं जानता हू कि इससे भ्रष्टाचार को बढ़ावा मिला है । कोई नियम नही, कोई कसौटी नही जिसके आधार पर टेंडर के लिये प्रार्थनापत्र मंगाये गये । जिस किसी का भी प्रभाव लगा, सिक्का जमा वह अपना काम बना बैठे । और जो टेंडर सिस्टम से चीनी दी जाती है उसके भावों पर भी कोई नियंत्रण नही है । उन्होंने उपभोक्ताओं से मनमाने दाम वसूल किये । मैं समझता हूं कि इस सिस्टम को खत्म किया जाना चाहिए और इस में जो अनियमितताएं हुई हैं उनकी भी जांच बहुत आवश्यक है ।

उपाध्यक्ष महोदय, सरकार ने एक्स-फैक्टरी प्राइस तै की मगर यह प्राइस सभी प्रान्तों पर लागू नहीं होगी । इसका परिणाम यह हुआ कि कुछ प्रान्तों में चीनी के भाव कम तै किये गये, कुछ में अधिक तै किये गये, जिसके फलस्वरूप इधर उधर चोरी से चीनी भेजने को बढ़ावा मिला । इसके साथ ही जब एक्स-फैक्टरी प्राइस तै की गयी थी तो हमारी सरकार ने थोक व्यापारियो के लाइसेंस का विचार नहीं किया । एक्स-फैक्टरी प्राइस तै की गई थी पिछली जुलाई में और व्यापारियो को लाइसेंस देने की बात इस मई में की जा रही है । मैं जानना चाहता हू सरकार को इतना समय क्यो लगा है । आज सरकार कहती है कि अगर चीनी के भावो पर नियत्रण रखना है तो यह बिना थोक व्यापारियो को लाइसेंस दिये नही हो सकता । मैं जानना चाहता हू कि क्या पिछली जुलाई में सरकार इस बात का अनुभव नहीं कर सकी थी । अगर नही कर सकती थी तो सरकार ने दूरदर्शिता से काम नही लिया । पिछली जुलाई में जब चीनी की खपत बढ़ने के आसार थे और भावो में वृद्धि की आशका थी तो थोक व्यापारियो को लाइसेंस दे देने का काम होना चाहिए था, लेकिन वह नही किया गया ।

अभी खडसारी की भी चर्चा हुई है । हमारी सरकार ने खडसारी पर एक्साइज ड्यूटी लगायी, इसलिए कि गन्ना उनको न मिले और उससे चीनी बने । मगर मै कहना चाहता हू कि सरकार का यह प्रयत्न सफल नही हुआ । खडसारी के निर्माता जितना गन्ना चाहते हैं प्राप्त कर रहे हैं और एक्साइज इस्पेक्टर्स के साथ मिलकर एक्साइज ड्यूटी भी बचा रहे हैं । जब सरकार ने खडसारी पर एक्साइज ड्यूटी बढाई तो बाजार मे खंडसारी की कमी की वजह से चीनी का अभाव और भी अधिक अनुभव होगा इस बात का भी उसे ध्यान रखना चाहिए था । मगर उसने यह ध्यान नहीं रखा । और हम एक्साइज ड्यूटी के भी हाथ धो रहे है और उसके फल-स्वरूप चीनी की कमी के कारण जो भाव बढ रहे हैं उनके कारण भी कष्ट हो रहा है ।

गन्ने के मूल्य का भी सवाल आया है । पिछले साल खंडसारी वालो ने १ रुपया १४ आने मन पर गन्ना खरीदा जब कि मिल मालिक १ रुपया ७ आने से ज्यादा देने को तैयार नहीं हैं क्योंकि उन्हे सरकार का समर्थन प्राप्त है । अगर गन्ने का मूल्य अधिक नही बढ़ाया जायेगा तो खडसारी पर एक्साइज ड्यूटी बढ़ने के बाद भी मिलो को गन्ना नही मिलेगा और इसके परिणामस्वरूप भावो को नीचे नही लाया जा सकेगा ।

सरकार चीनी का कट्रोल करे या राशनिंग करे इस के सम्बन्ध में मत्री महोदय ने अपने वक्तव्य में यह आपत्ति दी है कि चीनी की खपत किसी के लिये अधिक, किसी के लिये कम है । इस मामले में लोगों में भेद है और सब धान बाईस पसेरी नही तोला जा सकता, सब को एक ही लकडी से नही हांका जा सकता । मेरा निवेदन है कि प्रत्येक व्यक्ति की कम से कम आवश्यकता को तो पूरा किया जाय और इस के लिये सरकार को राशनिंग का सिस्टम अपनाना पड़ेगा । इस के सिवा कोई चारा नही है ।

अनेक सदस्यो ने बहुत गम्भीर आरोप लगाये हैं । कुछ आरोप माननीय मत्री महोदय पर हैं कुछ उन के विभाग के ऊपर हैं । लेकिन मुझे यह देख कर खेद हुआ है कि जो आरोप मत्री महोदय पर लगाये गये उन की पुष्टि में कोई बात नहीं कही गई । जहा तक विभाग पर आरोपों का सम्बन्ध है, मैं समझता हू कि इस सदन में जो अफसर अपना जवाब देने के लिये मौजूद नही हैं उन पर आरोप लगाना अच्छी संसदीय पद्धति नही है । लेकिन यह बात स्पष्ट है कि चीनी के गोलमाल के सम्बन्ध में जनता के मन में अनेक तरह के सन्देह हैं और सीजर की पत्नी की तरह से हमारे मंत्री महोदय को भी सभी सन्देहों से परे होना चाहिये । इस से अच्छा यह है कि

[श्री खाडिलकर]

जो कुछ भी सदस्यों ने आरोप लगाये हैं उन सदस्यों को निमंत्रित किया जाय उन आरोपों के ठोस प्रमाण देने के लिये, और अगर कोई आइवा पेसी केस बनता है तो सारे मामले को किसी हाईकोर्ट जज के सिपुर्द कर दिया जाय।

Shri Khadilkar (Ahmednagar): Mr. Deputy-Speaker, Sir, I would like to discuss this issue of sugar prices from a long-range point of view, because I do not think there is a short-term solution to this problem. As we all know, in 1946 and 1947, we used to get sugar at 13 annas a seer, but since then, taxes, excise and State levies have gone up—I am trying to analyse the factors which are beyond the control of the Ministry which go to increase the price of sugar. If we take the Central excise as it has increased in 1957, it works out at 17 nP. per seer. This is the increase in taxation. The quantum of tax on production was 14 per cent; now it has gone up to 36 per cent. The tax burden adding to the cost of production is passed on to the consumers. This is the present level. At the same time, there is a reduction in production to a large extent. But I do not understand one thing, though the Minister has given a statement. There was the last year's balance of 1·33 lakh tons. Why was it not made available to check the prices? That factor is not clearly mentioned in his statement. Why sugar production has gone down? This needs further explanation as the hon. previous speaker just now mentioned. As I said, you will have to find out some long-term solution. Sixty-seven per cent of the sugar production is more or less controlled by U.P. and the northern Indian areas. There, the method of production is outmoded; it is wasteful. As the Minister of Agriculture he must look into this.

The mills are almost dilapidated and the third factor which is operating is khandsari production. If at all you want to maintain a certain price level for the consumer you will have to take all these factors into consideration.

Another thing which has affected the price and to which serious thought must be given is export. As the previous speaker just now mentioned we are exporting 50,000 tons of sugar every year. But I do not think this export is profitable because if we compare the prevailing prices here with the prevailing prices in the international market, taking our cost of production into consideration, it is about Rs. 240 to Rs. 265 more than the international prices. If we calculate, by exporting this quantity of sugar, we are losing Rs. 1·25 crores annually.

I do not know what benefit the Food Minister is deriving from continuing this type of export and earning a meagre foreign exchange at the cost of the consumer, because, ultimately, this burden falls on the Indian consumer.

Certain taxes have gone up; railway freight rates have gone up, I admit. Production has gone down. That is also true. These are factors which are not under the control of the Ministry or the Minister. What is in his control? Has he performed that part of his duty whereby he could have checked the prices? Once you come to that basic thing, my first submission is that in our economy, if sugar or some other essential food material is in short supply, if, without having at your command a good control machinery, you begin to talk about it, our experience is that hoarders and speculators benefit thereby. So, unless we have got a controlling machinery of an overall nature—because we have learnt in the days when there was rationing—there is no use of having partial control. Control even at strategic points is never effective in the market. Either you must have a blanket control or no control at all. Then alone you can succeed in controlling the prices. Unfortunately, the Food Minister has not taken into consideration this basic factor which is

inherent and which has more or less entrenched itself in our market mechanism.

In this country the distributors are afraid that today or tomorrow, because of shortages, because of certain policy matters, there are likely to be controls and they are forewarned. They hoard the essentials and play in a speculative manner at the cost of the life of the common man and the poor man's life is being corroded further and further. This is the main thing.

It is no use pleading that we have less production. These things have happened. But within the means at your disposal why have you failed to control the market and guarantee a certain *minimum* price, which is reasonable under the given situation, to a consumer? Why allow the hoarders to hoard? What attempt was made to punish these people? We talk loud: 'We shall bring corruption to an end'. In righteous anger we sometimes utter these words. But if we examine the policies, in day to day life we find the greatest failure of the present Government so far as this aspect of our economy is concerned. The price levels of the daily needs of the people are left more or less to be determined by the trading community in this country. And this grip of the trading community over the policies of Government is, ultimately, bringing down the reputation of Government.

My hon. friends have said 'Here you own your moral responsibility as was formerly owned by the Railway Minister when there was an accident This is a social accident where everybody has suffered. Own moral responsibility and resign.' I do not think there is anything beyond that This is a type of moral responsibility which you must own and face the House and the country and make it clear that you will control this and will not allow speculators to dominate the market and play with the common man's life. This is one part.

Mr. Deputy-Speaker: The hon. Member must conclude.

Shri Khadilkar: I will finish in a minute, Sir.

On the 9th August, I presume, the Minister suggested that he is thinking of increasing the production capacity. In this country certain areas are good for production; and, particularly, south is very good. If he is considering the long-term aspect, if, from my own province of Maharashtra, he were to license 25 mills with the optimum production capacity, they will go into production in a couple of years and this headache of shortages will disappear within no time. Therefore, when you release new production capacity, I would urge that it should not be released in areas where the crop production is of an outmoded nature, where the sugar production machinery is also almost old and useless, and other factors operate to the detriment of increased production. It should be allocated to areas in this country where it will be utilised to the best advantage of the people at large.

Pandit K. C. Sharma: Mr. Deputy-Speaker, Sir, there has been enough rather unnecessarily hard criticism of the policy of the Government and the failure in its implementation. Therefore, I would not repeat what is unnecessary. I would simply beg to point out that in a developing economy many things happen which you do not expect

For instance, the consumption has increased. Nobody expected that the consumption would increase to the extent it has done. Whoever be the Food Minister, he cannot bring sugar or grain from his pocket. Mistakes are bound to occur as they have occurred. They have occurred because there was no pressure and the hon. Minister does not claim to be a genius. It is the genius alone that meets an unexpected crisis successfully when it meets with unexpected crisis. An ordinary man in office with

[Pandit K. C. Sharma]

a rationalised discipline at his back, at the most, can avoid what is called a breaking down of the administration, and so much the hon. Minister can safely claim.

The fundamental proposition that I would like to point out is the proposition of production. What is wrong is that we take things as they are. In any developing economy there is no order like the military order 'as you were.' If you order the economic development process like a military colonel 'as you were', there will be failure; here lies the crux of the problem. A great philosopher has said: every day you go to bed, the old man is dead; every day you wake up in the morning, you are a new man. Every financial year that passes should be left like that and every new year that is coming should be taken as a year of progress and change and new measures should be taken. Therefore, I would request him to consider seriously this thing. I have full faith in his capacity, young as he is and resourceful enough as he is. He can do the job. He should take it up seriously and take strong measures to see that a new variety of sugarcane is produced next year. Look at the cane going to the mill. What will the mill-owner do with some of that rotten sort of cane, without any juice inside? The result is that the cane fails to give the mill owner the necessary quantity of juice Therefore, he does not worry even about minimum facilities and gets the cart unloaded after 36 hours. What is the consequence of it? This sort of treatment is nothing but slavery. On this criterion I say that this great State of ours has no face to boast before the comity of nations that we are a civilised people. The poor peasant has to wait for 36 hours. Where is independence for that man? Where is your safety or liberty? Where is the protection of the man? This is the consequence. Bad production is at the root; these are the consequences that affect the very roots of civilised society. Therefore, I urge him to take strong measures to have a better variety of sugarcane and raise the price. Make it compulsory for the mill-owner to provide good manure and seed and give every help to the cultivator; the better variety of sugarcane will come and producer will get better price. Demarcate an area for the mill and beyond that you may allow khandsari and gur. But make it compulsory for the mill-owner that in the area allotted to him, he shall have to pay for every pound of cane that is produced. Cane is burnt? Who is responsible? Cane is not produced merely by the wish of the man. Money and labour had to be spent on it. When the cane in *the field is burnt, what happens?* The man is ruined. Who is responsible for the ruination of the peasant? Therefore, take the production to a scientific level and take things seriously and take strong measures. Young as you are, if you put in your intellect and physical capacity to the job, you will do it. I mean to say nothing further, Sir.

Shri A. P. Jain: Sir, I am not going to plead before this House that there has not been profiteering in sugar The mill-owners, wholesalers and the retailers have all unduly benefited. The question is whether in the circumstances Government have or have not done anything to control the price of sugar, whether they have succeeded to any extent. In the note which I had circulated to the hon Members, I have stated that the sugar situation had improved but it was not yet fully under control. There are two kinds of questions involved. One is the question of policy. Some allegations may have been made that we have deliberately followed a policy with a view to help the sugar mill-owners. If that is so, it is a very great charge and if we can be held guilty of that charge, I am not fit to occupy this place and I will resign. The second type of charge may be that there has been corruption in the department, etc. It is not with my permission that corruption has taken place. I am prepared to

look into it and I will say something about it a little later.

The first question is about the availability of sugar. In the paper, we have said that the availability of sugar is not sufficient during this year. Hon. Members have given certain figures. I am sorry to say that those figures are incorrect. I will first take up the question of the availability of sugar in 1956-57. The carry-over in that year was 5·32 lakh tons. The production was 20.29 lakhs and altogether the availability was 25.61 lakh tons. The consumption was 19·46 lakhs, export was 1·44 lakhs. In 1957-58, the carry-over was 4:31 lakh tons. Production was 19·78 lakhs; thus the availability was 24:09 lakh tons. Consumption was 20·42 lakh tons; the export was ·36 lakh tons, leaving a balance of 3·31 lakh tons.

Shri S. L. Saksena: About khandsari?

Shri A. P. Jain: I am not including khandsari now; I am coming to that later on. The carry-over this year was 3·31 lakh tons. Some hon. Members have stated that there was some sugar in the ships Where is the sugar in the ships or ports?

Shri Khushwaqt Rai: I never mentioned ships; I mentioned ports and markets

Shri A. P. Jain: There was no availability of sugar at the ports. What was available was only this: 3·31 lakh tons with the mills.

Shri S. L. Saksena: I will quote from the *Indian Sugar Manual*. There were 85,000 tons in the inland markets, 14,200 tons in the ports and 4,58,939 with the factories.

Shri A. P. Jain: It cannot be so.

Shri S. L. Saksena: It is here on page 89

Shri A. P. Jain: The hon. Member may pass it on to me. It is true that at that time there was a little imported sugar available. This year, there was no import of sugar. Some of this was carried over.

Shri S. L. Saksena: It is all last year's production.

Shri A. P. Jain: It was 57-58 production; I am talking about 58-59. It is a fact that the carry-over was 3:31 lakh tons. The production was 19·21 lakh tons. So, the total availability of sugar during this year was 22·52 lakh tons. The consumption of sugar in this year is expected to be 21 lakh tons and the exports would be 25 thousand tons. So, the carry-over at the end of the year would only be about 1·23 lakh tons for 1959-60. Ordinarily, a safe carry-over is about 3-4 lakh tons because the new sugar year begins from the 1st of November and the factory-produced sugar is released only by the middle of December. The new sugar is ordinarily released in the month of December, after the 15th of December, and the previous year's carry-over is consumed during November and December. So, on all hands it has been accepted that the safe carry-over is 3 to 4 lakh tons. This year we will have a carry-over of 1.23 lakh tons only. While the statement I made on a previous occasion that we had sufficient sugar for consumption this year is correct, nonetheless it is a fact that the carry-over next year will be only about 1 lakh or 1¼ lakh tons as against 3·31 lakh tons this year. Therefore, it will have to be accepted that though we have got enough sugar for consumption during this year, our position is a tight one. No one can deny that.

An Hon. Member: Is it on the basis of estimated production?

Shri A. P. Jain: It is now practically firm. Because, the special season produces only 15 thousand tons of sugar, and the production up till now has been 19·05 lakh tons. So it will not exceed that.

[Shri A. P. Jain]

Another thing has been said, that in the releases of sugar we have manipulated in a manner as to create a scarcity. I will place before the House the figures of releases in the year 1958 and this year. In the month of January, in 1958 the release of sugar was 1,68,000 tons; but this year the release is 1,92,000 tons, that is 24,000 tons more. In the month of February, the release was 1,83,000 tons last year; this year it is 1,84,000 tons. In the month of March, last year the release was 1,84,000 tons; this year it is 1,85,000 tons. In the month of April the release was 1,76,900 tons last year, and this year it is 1,69,000 tons; that is only about eight thousand tons less. In May last year there was a big release. The normal release was 1,69,000 tons. But when the sugar market went out of control and the price began to go up—this matter was also raised in this House—we gave a special release of 1 lakh tons. This year we have released 1,70,000 tons which compares favourably with the normal release. This year our stock position was not such that we could give a special release. If I had any sugar I would have given a special release. So, although in May last year two releases were given, one of 1,69,000 tons and another of 1 lakh tons, this year only one release of 1,70,000 tons was given And I plead before the House that the special release of 1 lakh tons could be done only because plenty of sugar was available that year. This year it was not available, and I could not.

Shri S. L. Saksena: There was enough sugar in your stock, but you did not do it. That was a crucial mistake.

Shri A. P. Jain: There was no mistake. In the month of June last year the release was 1,73,000 tons. This year the release is 1,88,000 tons.

In other words, during the first six months of 1959 we have released 10,88,000 tons. Multiply it by two, and the total consumption comes to 21.76 lakh tons. Can it be said that these releases had been manipulated in a manner so as to assist the mill-owners? I only want the House to judge on the basis of the facts, hard facts which I have placed before it, whether the releases have been manipulated in any manner whatsoever.

Shri S. L. Saksena: The mistake was made when the sugar price rose to Rs. 9 and Rs. 10.

Shri A P. Jain: I have already said that last year in the month of May we gave a special release of 1 lakh tons when the prices began to rise. This year we could not afford to do it because of the reason that our sugar position was very tight.

Shri Braj Raj Singh: Is it not a fact that last year the special release was made only for the reason that the season was summer and also marriage season?

Shri A. P. Jain: It was made because the prices were going up.

Shri Subbiah Ambalam (Ramanathapuram): May I know why Government could not ban the export of sugar?

Shri A. P. Jain: I am coming to that. Take the question of export The House is well aware that we need foreign exchange badly. And, therefore, we decided on a policy of export of sugar, with the approval of the House. This year we decided to export 1 lakh tons of sugar. That was based on the original estimate. Our estimate of production this year was 21 lakh tons, and with a carry-over of 3·31 lakh tons we were expecting that we shall have a total quantity of 24.31 lakhs at our disposal.

Shri S. L. Saksena: What was the basis on which that assumption was

made when there was actually less sugarcane?

Shri A. P. Jain: That was the estimate. It did not come out to be true. When we came to know that the sugar position was tight and we shall not have much surplus of sugar, we reduced the quantity to be exported from 1 lakh tons to 25,000 tons.

Shri S. L. Saksena: When?

An Hon. Member: In July.

Shri A. P. Jain: We have exported only 9,000 tons out of the 25,000 tons. So, it is not that we did not take that step. We did take that step to reduce the quantity of exportable sugar.

Shri S. L. Saksena: What was the amount in April when the price was rising? You knew in February. (*Interruptions*)

Shri A. P. Jain: We took a decision and we announced it. (*Interruptions*)

Mr. Deputy Speaker: Order, order

Shri A. P. Jain: Another question has been raised about the system of allotments During the first four months, that is December 1958 to March 1959, the system was to receive the applications by hand. Immediately on receipt, a priority number was assigned to each applicant in the presence of the applicant. These were then entered in a register, and then on the basis of the priority entry in the register the allocations were made. On the 28th March, 1959 there was a huge crowd which collected and the police had to be summoned. Therefore, the system of receiving applications by hand was given up and the applications from 30th March, 1959 were received through registered post, accompanied by a *chalan* of deposit.

Shri Subbiah Ambalam: May I know whether these applications were received at New Delhi or.....

Shri A. P. Jain: Yes, at New Delhi.

Shri Subbiah Ambalam: For the whole of India?

Shri A. P. Jain: Yes, for the whole of India.

And priority numbers were assigned on the basis of the delivery memo received from the post office. After assignment of priority numbers the applications were scrutinised by a committee of three senior officers of the Directorate

An Hon. Member: Very nice!

Shri A. P. Jain: Ordinarily we have been allocating 2 per cent. of the sugar for the purposes of allocation direct by the Government. This system continued right up to April, and at that time sugar was allotted to certain areas—because it was a comparatively small quantity—where the prices had a tendency to go up It was done in some big towns of U P and other big towns were selected; among these were Calcutta, Kanpur, Delhi, Bombay. And when the prices began to go up in the Punjab all the towns with a population of more than a lakh were also selected

These are the various operations through which sugar has been distributed, which are generally the normal operations and about which I have mentioned.

As a result of the rise in sugar prices which happened about the end of April and the beginning of May we took the following steps: Firstly, in order to control sugar or any other commodity it is first necessary to find out the persons whom you are going to control and that can be done only through the system of licensing On the 7th of May we issued a letter to the State Governments requesting them to take action to license the wholesale dealers. I want to make it clear to the House that the licensing of the dealers takes more than a month;

[Shri A. P. Jain]

because, firstly, a notification has to be issued and you have to give at least fifteen days or more time for the people to make applications. After they have made the applications, each of the applications has to be scrutinised and then a licence has to be issued. Now, as a result of the issue of this letter on 7th May the wholesalers could be licensed by the middle of June and in some cases they could not be licensed by the middle of June. Therefore, we could not take over the entire sugar for distribution through the wholesale dealers, because if we had taken it over than anybody who came would have got the sugar, whether he was a wholesale dealer or not, and he would have misused it. Therefore, when we practically decided upon control of sugar the first thing that we rightly did was to license the wholesale dealers. The system of licensing in a major part of the country was finished by the middle of June, but in some parts of the country it was done a little later.

15 hrs.

Therefore, Sir, one thing follows, that we could not exercise any rigid control over the release in the month of May because the release in the month of May was made near about the 23rd of May—22nd, 23rd or 24th. In the month of June, when the wholesalers had been licensed, we took over the entire production of Punjab and 70 per cent of the production of U.P. and North Bihar for purposes of allocation by the Government. The reason why we left 30 per cent in these two regions of U P. and North Bihar was that registration had not been completed in all parts of the country and, therefore, if we had taken over the entire sugar for allocation direct by the Government there might have been a great scarcity of sugar in places where licensing had not been done.

Now, in the month of July we have taken over the entire production in the controlled regions of Punjab, U.P. and North Bihar for the purpose of direct allocations. The position today is this. . . . .

Shri S. M. Banerjee: Sir, may I ask one question?

Shri A. P. Jain: I will answer questions later. The position today is that no movement of sugar from one zone to another is allowed. In the north of India each State is a zone and in the south the four States constitute a zone. Sugar is allotted to each zone according to its requirements but on the basis of its past consumption. For instance, in the case of Uttar Pradesh we found that normally Uttar Pradesh was consuming 25,000 tons of sugar and so we allocated 25,000 tons of sugar to Uttar Pradesh. In the case of Bombay we found that the annual consumption of sugar in that State was of the order of 5 lakh tons Bombay has produced 3,20,000 tons in its own territory, and therefore we assigned 1,80,000 tons from U.P. to make up the deficit. Similarly, sugar has been allotted to all the regions according to their requirements worked out on the basis of their consumption.

Shri Easwara Iyer (Trivandrum): What about the south?

Shri A. P. Jain: I will explain why certain regions are controlled and others are not controlled. Now, no free quota for sale to factories is available in the controlled regions As soon as an allocation is made, information is communicated to the State Government and to the Collector of the District concerned that so much sugar has been allocated to such and such a person. Distribution inside the State is made according to the advice given by the State Government. The State Governments are at liberty to distribute it through cooperative societies, they are at liberty to distribute it through associations of merchants, they are at liberty to distribute it through licensed dealers,

but not through other persons. So far as the wholesale licensed dealers are concerned, the State Governments inform the Centre that so much sugar should be allotted to each District, which is accordingly allotted. The State Governments also send the name of the wholesaler to whom the sugar should be allocated. So, Sir, the position today is that sugar is being allocated on the basis of past consumption of the different States according to the directions given by the State Governments.

Then, the sale price of wholesale dealers is also controlled on the following basis: ex-factory price, plus cost of transport, plus local taxes such as octroi etc., and up to Re. 1—not exceeding Re. 1—for profit, handling and incidental charges. The Collector, after taking these things into account, is given the power to declare a price for his District.

Therefore, today the position is that in the controlled regions the mills are not allowed to sell any sugar on their account. It is the Government of India which allocates the sugar to a particular person and the mills sell at the controlled price. Even the wholesale price is fixed; of course, we have not fixed the retail price because I do not know whether it will be wise for us to fix the retail price

A question has been put as to why we have not controlled the prices in the whole of India and why we have selected certain regions for controlling prices leaving the other regions In particular, the case of South Bihar has been pointed out. Hon. Members will remember that the system of controlling prices was taken up in the month of April, 1958. When the prices in North Bihar and Uttar Pradesh were fixed, Rs. 36 per maund was fixed as the controlled price and Rs. 36-8-0 was fixed as the controlled price in Punjab.

Shri Braj Raj Singh: It was in July, 1958, I believe.

Shri A. P. Jain: I stand corrected. At that time we found that in the case of South Bihar the cost of production worked out to Rs. 37|29 nP, whereas the selling price in the market in the month of April, on the basis of which these controlled prices were fixed, was Rs. 36|25 nP.

Shri S. L. Saksena: What is the basis of those figures?

Shri A. P. Jain: These are figures that have been calculated. In the Control Order it was said that the Central Government may from time to time by notification in the official Gazette fix prices or maximum prices at which any sugar may be sold or delivered, and different prices may be fixed for different areas, factories or different types or grades of sugar; such prices or maximum prices shall be fixed with due regard to the prices or minimum prices fixed for sugarcane, manufacturing cost, taxes, reasonable margin of profit for producer or trade and any incidental charges. If we had fixed the prices for South Bihar at that time, we would have made a gift of Rs. 1|04 nP. to the factories of South Bihar because, as the hon. Members are well aware, when a controlled price is fixed that generally becomes the normal price and sales do not take place at a price lower than that. That is the general experience. If the selling price at that time was Rs. 36 25 nP. and the cost of production was Rs. 37'29 nP., certainly we would have made a gift of 1|04 nP. to the factories of South Bihar if we had fixed the prices in South Bihar.

Shri S. L. Saksena: The U.P. Government has said in the Assembly that the cost of production was Rs. 33 only.

Shri A. P. Jain: Those figures are wrong; they have themselves said that those figures are wrong.

Then, why have we not controlled the prices in Bombay and South India? Bombay is a highly deficit

[Shri A P Jain]

State so far as sugar is concerned. Its annual deficit is of the order of 1,80,000 tons. Though South India has now become almost self-sufficient, it was a deficit area in the past. The prices both in Bombay and in South India are determined by the ex-factory price of sugar in U P and Bihar, from where sugar is exported to these centres, plus the cost of freight Therefore unless we had taken the entire distribution into our hands it would have been impossible to fix prices in respect of the factories in the south because it is not the cost of production in the factories in the south and in Bombay which determines the market price there but it is the landed price of sugar imported from Uttar Pradesh which determines the price in Bombay and South India

Now, the Southern India Mill owners' Association worked out a scheme even, I think, in the month of May for controlling the prices, and they fixed the issue price on the basis of the landed cost of sugar from Uttar Pradesh

Shri Subbiah Ambalam Are we to understand that the prices of sugar in the South were fixed in relation to the Uttar Pradesh prices? I may inform the Minister that with the announcement of the Government about sugar control and the announcement about licensing to sugar dealers the prices shot up by 20 per cent in the South

Shri A. P Jain According to my information, normally, the market price in the south is determined by the landed cost price of sugar in the South from Uttar Pradesh

Shri Subbiah Ambalam: May I know the ex factory price of sugar produced by the distilleries in the South and by the manufacturers in the south prior to control?

Shri A. P. Jain: I do not have the figures at present. I can give them if he wants later

Shri Narayanankutty Menon (Mukandapuram): Anybody can know the prices prevailing in the market. The hon. Minister's figures are based on what? Nobody knows.

Shri A. P. Jain: What I said was about the basis on which the market prices are determined

Shri S. L. Saksena: Does the hon Minister know that the late Shri Kidwai fixed the price of Rs 30 all over India including Bombay and Calcutta?

Shri A P. Jain That was for imported sugar

Shri S. L. Saksena. For the sugar produced in this country

Shri A. P. Jain. Now, I may say that even now there are some cases pending I think some cases have been decided Sugar was requisitioned and the Government had to pay a higher price because the contention of the millowners was that they should get a price on the basis of their cost of production whereas the Government did not want to do it The case was decided in their favour That is why we did not fix the control price for the whole of India These three regions, that is, Punjab, Uttar Pradesh and North Bihar, produce about 70 per cent of the sugar produced in the whole of India and we were quite justified in concluding that if we can fix the price of 70 per cent of the sugar the other prices will be controlled, and in fact, for a long period, they were controlled But when the prices in Uttar Pradesh went up the prices in the South and in Bombay also went up and when prices in Uttar Pradesh and Bihar have been controlled now, sugar is being supplied at ex-factory rates and the prices are normal

श्री अचित राम (पटियाला) : जो कदम—स्टेप्स—आप ने मई में उठाये, क्या वे पहले नहीं उठा सकते थे ?

Could we not have taken those steps in February when the warning was given in the House?

Shri A. P. Jain: Hon. Members from the other side....

Shri Narayanankutty Menon: From all sides.

Shri A. P. Jain.....spared no criticism. But the first time when sugar prices began to go up and a scare created was about the end of April. It was on the 7th of May that we issued letters to the State Governments to undertake licensing of sugar dealers.

There is also another aspect of it. Unnecessary licensing and unnecessarily creating scare is not a good thing.

Shri S. M. Banerjee: When the question was mooted in this House.

Shri A. P. Jain: Even before I made the statement in the House we had issued instructions to the State Governments to license the wholesale dealers. This is so far as the policy is concerned and so far as the steps taken by us are concerned.

Shri Subbiah Ambalam: I want to offer only one point for being explained. The hon. Minister said that there was an announcement regarding the control of sugar and licensing. May I know whether before the announcement was made, the Government took care to requisition the entire stock available with the millowners?

Shri A. P. Jain: No, Sir. That is because we had no machinery for distribution. Before we requisition the stock we must have machinery for distribution and in the month of April we created a machinery for distribution and by the end of July we had taken over the entire sugar.

Shri S. M. Banerjee: One clarification. It is pertinent in this case. The Minister, in his statement, said:

> "While these control prices were generally effective till April 1959 when the prices started rising, there were reports that most of the factories were charging higher prices, without of course revealing them in their books which would have enabled legal action to be taken."

I want to know whether there was any action taken. I want to know why no action was taken when it was definitely known that they were charging higher prices.

Shri A. P. Jain: No specific case....

Shri S. M. Banerjee: Am I to take it that no reply to my question was given?

Shri A. P. Jain: Four specific cases of the violation of the law were reported to us. We prosecuted two people. In the other two cases, the persons who had sent the telegrams of the first information were not prepared to give evidence. One of these cases has been decided by the Calcutta courts and the other case is pending. A large number of persons wrote to us. One of the hon. Members who is a party to this motion met me and made some complaint. I told him, "Give me a specific case and I will prosecute the person concerned". I know that a big racket was going on and that profits were being made. When it came to a question of evidence we were not getting the evidence. We wrote to the State Governments of Uttar Pradesh and Bihar to depute their police to detect those cases. They could not send us any case. Here, we tried to detect cases through the Special Police Establishment. They said that unless some specific facts were given to them and any particular case entrusted to them they could not carry on any enquiry. I know profits had been made. I am very unhappy about it. It is most unfortunate that there should have been so much of profiteering by the millowners, by the wholesalers and

[Shri A. P. Jain]

by the retailers, and in the circumstances, we could not control it.)

An Hon. Member: Resign

Shri A. P Jain: With the various steps that we have taken, the situation is coming under control and I hope and wish the position will improve

There is one thing more Hon Members have said that there has been a lot of corruption I would not like to defend any corruption I want hon Members to give me at least some facts I do not say, "all the facts". It cannot be a roving enquiry If I am given some facts, I will look into the cases, and see whether there has been any corruption in the allocation or whether there is anything fundamentally

Shri S L. Saksena: I shall give all the evidence that is available with me

Shri Subbiah Ambalam: It is not a question of corruption From the policy of the Government as seen from the statement of the Minister, it is clear that the Government have not cared to take adequate steps before announcing the programme You allowed them and created a situation for them to indulge in corrupt practices and sell all the stocks in the black market

Mr Deputy-Speaker. Am I charged with this allegation?

Shri A. P. Jain: Some hon Members said that I was constitutionally responsible If there is any charge against me, I am prepared to stand a trial, and I am prepared to resign I will not stand here for a minute (*Interruptions*)

Shri S L Saksena: Appoint a Commission

Shri A. P. Jain: If it is a question of anything having gone wrong in the Directorate, well, I am prepared to look into it

Shri S. M. Banerjee: Appoint a Commission

Shri A P Jain: There is no case for the appointment of a Commission You may charge me I am here, and I have explained the policy You may not agree with it, but I maintain that these are the correct policies. The House is the judge of the policies.

Shri S M Banerjee: It is no policy; it is polishing

Shri A P. Jain: If, on the other hand, there has been any corruption on the part of any officer or any official, he must be punished Nobody could give him any shelter But this kind of sweeping charge that Rs 25 lakhs

Shri Braj Raj Singh May I ask whether any regulations were made for announcing tenders accepting tenders, etc? May I know whether any information was published in the press or whether any such thing was pasted on the notice-board of the Sugar Directorate?

Shri A P. Jain. No These rules were laid down from time to time I am prepared to pass on a copy of these rules to the hon Member

Shri Nagi Reddy (Anantapur) What is the use?

Shri A P Jain. For the purpose of allocation But they are not published in the gazette If any allocation has been made against these rules and which gives rise to suspicion of bribery or corruption, certainly action can be taken in those matters So, the position is clear

Shri Narayanankutty Menon: May I ask how many crores of rupees has the AICC received during the last elections from these millowners alone in Uttar Pradesh? The highest form of corruption

Mr. Deputy-Speaker: It is not for the Minister to know or to tell.

Shri A. P Jain: I know there is a lot of sentiment and passion about it I know that the situation has been bad I know that it has not fully come under control as yet, but I maintain that things have been improved We are doing our best and we hope that sugar will come fully under our control After all, the key to the maintenance of proper prices is production This year, as I said, the main cause for the rise in price of sugar was low production Some suggestions were made for increasing production We will give due consideration to them, There will be utmost effort on our part to increase the production of sugar, so that these difficulties may not arise

Shri Braj Raj Singh: In view of the serious situation, can he categorically say that no exports are going to take place in the future months?

Shri A. P. Jain: The maximum quantity fixed for export is only 25,000 tons, out of which we have exported 9 000 tons We will make our utmost effort to reduce the export to the minimum and we shall try to export as little as possible just for maintaining certain markets We had a demand of about 60 000 maunds of sugar from Nepal We could not refuse them and we supplied it Except for these exceptional cases, we are not allowing exports

श्री सरजू पांडे (रसडा) माननीय मन्त्री ने जैसा अभी कहा और माननीय सदस्यो ने भी कहा है कि मुनाफाखोरो ने मुनाफा उठाया । क्या इस सम्बन्ध में किसी तरह का कमिशन अप्वाइट करने को सरकार तैयार है ? दूसरी चीज मैं यह जानना चाहता हू कि शुगर के डिस्ट्रिब्यूशन के लिये कोई पापुलर कमेटी के निर्माण का, जिस में हर दल के लोग हो, कोई विचार है या नही ?

श्री अ० प्र० जैन जहा तक पहले सवाल का ताल्लुक है, मैं ने खुद कहा कि उन्होंने मुनाफा कमाया लेकिन उन का जो कुछ भी भला बुरा किया जा सकता है वह अदालतो में मुकदमा चला कर ही किया जा सकता है । जब भी कोई केस होगा, मैं वादा करता हू कि उन का प्रोसीक्यूशन किया जायेगा । जहा तक पापुलर कमेटी वगैरह का सवाल है, डिस्ट्रिब्यूशन स्टेट गवर्नमेंट कर रही है और वह इस को देखेंगी ।

उपाध्यक्ष महोदय मेरा मतलब कोई सलाह वगैरह देने का तो नही है, लेकिन जिन्हो ने इस बहस में हिस्सा लिया है अगर उन को बुला कर मिनिस्टर साहब एक कमेटी में बैठ जायें तो जो बहुत सी शिकायात हैं वह पेश की जा सकती है और दिक्कतो को आसानी से हल किया जा सकता है ।

कुछ माननीय सदस्य और जिन्हो ने हिस्सा नही लिया है वह क्या करेंगे ?

उपाध्यक्ष महोदय जो हिस्सा नही ले पाये हैं वह भी जा सकते है ।

श्री अ० प्र० जैन जो इस में दिलचस्पी रखते हे या यह समझते हैं कि इस मामले में गडबडी हुई है मैं उन सब को दावत देता हू कि वह आ कर बातचीत क ।

Shri S. L. Saksena: Why have you stopped the export of khandsari from U P to Rajasthan?

श्री अ० प्र० जैन जो मिल की शुगर है वह भी चली जायेगी । बडा मुश्किल है इस की शिनाख्त करना कि वह न जा सके इस के साथ ।

श्री खुशवक्त राय श्रीमान्, मुझे इस बात की बडी प्रसन्नता है कि जो प्रश्न आज प्रात काल मैं ने यहा उपस्थित किया था उस पर हमारे सभी भाइयो ने चाहे वे इधर बैठते हो चाहे उधर बैठते हो, चिन्ता प्रकट की और माननीय मन्त्री जी ने भी यह माना है कि इस शुगर के मामले मे मिलमालिको ने, थोक बने वालो ने और फुटकर बेचने वालों

[श्री खुशवक्त राय]

ने भी बेइन्तहा रुपया कमाया है । जब इस बात को मान लिया गया तब मैं नहीं समझ पाता हू कि माननीय मन्त्री जी को इस में क्या परेशानी है कि एक कमीशन आफ एन्क्वायरी नियुक्त कर दिया जाय । मै समझता हू कि माननीय मन्त्री जी को अपने ख्याल से और सदन की इच्छा के ख्याल से, इस देश में जो चिन्ता पैदा हो गई है उस के ख्याल से इस माग को मान लेना चाहिये । यह मांग इधर से ही नही की गई है, उधर के लोगो ने भी यह माग की है कि कमीशन आफ एन्क्वायरी बनाया जाय और उस के जरिये यह जाच कराई जाय कि किस तरह से लोगो ने फायदा उठाया ।

इसी के साथ-साथ जो आरोप डाइरेक्टोरेट पर लगाये गये है वह भी बडे गम्भीर हैं और उन के ऊपर भी विचार किया जाना चाहिये । उन को यह कह कर नही छोडा जा सकता कि जब तक आप के पास केस न आयें आप कुछ नही कर सकते । यहा पर ऐसी बातें कही गई है कि उन की जाच होनी आवश्यक है । इसलिये मैं बहुत नम्रतापूर्वक माननीय मन्त्री जी से यह कहूगा कि जो अमेंडमेंट प्रोफेसर शिब्बन लाल सक्सेना ने दिया है उसे मैं मजूर करता हू और उन से भी प्रार्थना करता हू कि वे इस बात को मान लें

श्री ज०-प्र० जैन : मैंने कोई एन्क्वायरी की बात नही कही । मैंने कहा कि आप सब लोग आइये, बैठ कर बातचीत कीजिये । कोई बात ऐसी मालूम होगी कि डाइरेक्टोरेट मे ऐसा हुआ है तो जरूर ऐक्शन लिया जायेगा ।

Mr. Deputy-Speaker: After the reply of the mover, the debate is closed I shall put the amendments I shall first put Amendment No 1 by Shri S L Saksena

The question is

That at the end of the motion, the following be added, namely —

and recommends that a High Power Commission of Enquiry, consisting of either a Supreme Court Judge or an eminent public man be appointed to investigate into the complaint, and to find out the causes of the present sugar racket which has already resulted in the exploitation of sugar consumers to the extent of Rs 16 crores during the last five months and the evasion of income-tax on the profits so accruing to the sugar mill-owners"

Lok Sabha divided Ayes 32, Noes 84

Division No. 1] **15.32 hrs]**

AYES

Awasthi, Shri Jagdish
Banerjee, Shri S M
Basumatari Shri
Chakravartty, Shrimati Renu
Dige, Shri
Dwivedy, Shri Surendranath
Fhsa, Shri Muhammed
Goray, Shri
Gupta, Shri Sadhan
Iyer, Shri Easwara
Kamble Shri B (
Kunhan, Shri
Mahendra Pratap, Raja
Mehta, Shri Asoka
Menon, Shri Narayanankutty
Mullick, Shri B C.
Pandey, Shri Sarju
Panigrahi, Shri
Parulekar Shri
Patil, Shri Balasaheb
Patil Shri U L
Rai, Shri Khushwaqt
Ram Garib Shri
Rao, Shri D V
Rao, Shri T B Vittal
Reddy, Shri Narapa
Saksena, Shri S L
Shastri, Shri Prakash Vir
Singh, Shri Braj Raj
Singh, Shri P N
Tangamani Shri
Vajpayee Shri
Verma Shri Ramji

NOES

Ajadi, Shri
Ambalam, Shri Subbiah
Annamalai, Shri R. S
Arumugham Shri S R
Balmiki, Shri
Barupal, Shri P L
Basappa, Shri
Bhagat, Shri B R
Bhargava, Pandit M B
Bhargava, Pandit Thakur Das
Chettiar, Shri Ramanathan
Chunilal, Shri

Das, Shri K. K.	Mandal, Dr. Pashupati	Sahu, Shri Rameshwar
Das, Shri N. T.	Maniyangadan, Shri	Saigal, Sardar A.S.
Desai, Shri Morarji	Masuriya Din, Shri	Samanta, Shri S.C.
Dube, Shri Mulchand	Mathur, Shri M.D	Sarhadi, Shri Ajit Singh
Eacharan, Shri V.	Mishra, Shri Bibhuti	Satyabhama Devi, Shrimati
Ganapathy, Shri	Misra, Shri R. D	Sharma, Pandit K. C
Ganga Devi, Shrimati	Misra, Shri R.R.	Sharma, Shri R. C
Ghosh, Shri M. K.	Murty, Shri M.S	Shobha Ram, Shri
Hajarnavis, Shri	Narasimhan, Shri	Singh, Shri Birbal
Hansda, Shri Subodh	Naskar, Shri P S	Singh, Shri D N
Jain, Shri A. P	Nayar, Dr. Sushila	Singh, Shri H.P
Jain, Shri M C	Negi, Shri Nek Ram	Singh, Shri Radha Mohan
Jinachandran, Shri	Nehru, Shri Jawaharlal	Singh, Shri Raghunath
Jogendra Sen, Shri	Neswi, Shri	Sinha, Shri Aniruddh
Khan, Shri Osman Ali	Pahadia, Shri	Sinha, Shri Gajendra Prasad
Khedkar, Dr G. B	Pandey, Shri K Neeni	Sinha, Shri Jhulan
Khwaja, Shri Jamal	Panna Lal, Shri	Sinha, Shri Satya Narayan
Kistaiya, Shri	Raj Bahadur, Shri	Snatak, Shri Nardeo
Kotrukapally, Shri	Ramaul, Shri S N.	Sonavane, Shri
Krishna Chandra, Shri	Rane, Shri	Subramanyam, Shri T
Kureel, Shri B N	Rao, Shri Jaganatha	Thomas, Shri A M
Laxmi Bai, Shrimati	Reddy, Shri Rami	Varma, Shri M L
Mahadeo Prasad, Shri	Roy, Shri Bishwanath	Vyas, Shri R C
Malviya, Shri Motilal	Rup Narain, Shri	Wadiwa, Shri.

The motion was negatived.

Shri Sadhan Gupta (Calcutta-East): The sugar magnates have got it

Mr. Deputy-Speaker: The question is

"The at the end of the motion, the following be added, namely:—

and recommends—

(a) that Government do appoint a Committee consisting of a High Court Judge and two Members of Parliament one from each House to enquire into the undue profits earned by the sugar interests during the last few months'"

The motion was negatived.

Mr. Deputy-Speaker: The question is:

"That at the end of the motion, the following be added, namely:

'and recommends—

(a) that a Committee consisting of five members of Parliament, three from Lok Sabha and two from Rajya Sabha, presided over by a Judge of High Court, be appointed to investigate and enquire into unduly high profits earned by the sugar industrialists during the last few years'"

The motion was negatived.

Mr. Deputy-Speaker: I will now put the motion of Shri Raghunath Singh

Shri Narayanankutty Menon: You may rule it out of order as it has no meaning

Mr. Deputy-Speaker: The Speaker has allowed it and it has been moved.

Now the question is:

'That for the original motion, the following be substituted, namely.

'This House expresses its concern at the rise in the sugar prices and after taking note of the steps already taken by Government recommends that Government should take such further steps as are found necessary from time to time to check the rise in the prices of sugar and profiteering by sugar interests."

The motion was adopted.

Mr. Deputy-Speaker: The House will now take up Private Members' Business. Now we will take up the Bills to be introduced. Shri Prakash Vir Shastri.

15·32 hrs.

BACKWARD COMMUNITIES (RELIGIOUS PROTECTION) BILL*

श्री प्रकाश वीर शास्त्री (गुडगाव) उपाध्यक्ष महोदय, मैं प्रस्ताव करता हू कि धार्मिक विश्वास के अतिरिक्त अन्य आधारो पर बलात् धर्म परिवर्तन से अनुसूचित जातियो, अनुसूचित आदिम जातियो और अन्य पिछडी जातियो को और अधिक प्रभावशाली संरक्षण गा उपबन्ध करने वाले बिल को सदन मे प्रस्तुत करने की अनुमति दी जाय ।

Mr. Deputy-Speaker: The question is:

"That leave be granted to introduce a Bill to provide for more effective protection of the Scheduled Castes, Scheduled Tribes and other backward communities from change of religion forced on them on grounds other than religious conviction"

The motion was adopted

श्री प्रकाश वीर शास्त्री मैं बिल का सदन में प्रस्तुत करता हू ।

Mr. Deputy-Speaker: I find that Shri Ram Krishan Gupta is absent

---

DISPLACED PERSONS (COMPENSATION AND REHABILITATION) AMENDMENT BILL*

(*Amendment of Section 24*)

Shri Ajit Singh Sarhadi (Ludhiana): I beg to move for leave to introduce a Bill further to amend the Displaced Persons (Compensation and Rehabilitation) Act

Mr. Deputy-Speaker: The question is:

"That leave be granted to introduce a Bill further to amend the Displaced Persons (Compensation and Rehabilitation) Act, 1954.

The motion was adopted.

Shri Ajit Singh Sarhadi: I introduce the Bill

REPRESENTATION OF THE PEOPLE (AMENDMENT) BILL*.

(*Amendment of sections 81, 82, 86 and 116-A and omission of sections 88 and 89*)

Shri Ajit Singh Sarhadi (Ludhiana): I beg to move for leave to introduce a Bill further to amend the Representation of the People Act, 1951.

Mr. Deputy-Speaker: The question is:

"That leave be granted to introduce a Bill further to amend the Representation of the People Act, 1951"

The motion was adopted

Shri Ajit Singh Sarhadi: I introduce the Bill

CODE OF CRIMINAL PROCEDURE (AMENDMENT) BILL*

(*Amendment of Section 488*)

Shri Ajit Singh Sarhadi (Ludhiana): I beg to move for leave to introduce a Bill further to amend the Code of Criminal Procedure, 1898

Mr. Deputy-Speaker: The question is:

"That leave be granted to introduce a Bill further to amend the Code of Criminal Procedure 1898"

The motion was adopted.

Shri Ajit Singh Sarhadi: I introduce the Bill

---

*Published in the Gazette of India dated 14-8-1959

UNDUE DELAY AND PRESUMPTION OF CORRUPTION BILL*

Shri Jhulan Sinha (Siwan) I beg to move for leave to introduce a Bill to provide for raising of certain presumptions in cases of undue delay in the disposal of matters in offices and departments of the Government

Mr Deputy-speaker: The question is

"That leave be granted to introduce a Bill to provide for raising of certain presumptions in cases of undue delay in the disposal of matters in offices and departments of the Government"

The motion was adopted

Shri Jhulan Sinha: I introduce the Bill

CATHOLIC CHURCH PREMISES AND ECCLESIASTIC ORDER (RESTRICTION OF POLITICAL ACTIVITY BILL*

Shri T. B Vittal Rao (Khammam) I beg to move for leave to introduce a Bill to restrict the use of Catholic Church for political purposes and the participation of ecclesiastic personnel of the Catholic Church in political activity

Mr. Deputy-Speaker The question is

"That leave be granted to introduce a Bill to restrict the use of Catholic Church for political purposes and the participation of ecclesiastic personnel of the Catholic Church in political activity"

The motion was adopted

Shri T B. Vittal Rao: I introduce the Bill

REPRESENTATION OF THE PEOPLE (AMENDMENT) BILL*

(Insertion of new section 7A)

Shri T. B. Vittal Rao (Khammam): I beg to move for leave to introduce a Bill further to amend the Representation of the People Act, 1951

Mr. Deputy-Speaker: The question is

"That leave be granted to introduce a Bill further to amend the Representation of the People Act, 1951"

The motion was adopted

Shri T. B Vittal Rao: I introduce the Bill

15.38 hrs.

SIKH GURDWARAS BILL

Sardar A S Saigal (Janjgir): I beg to move

"That the time appointed for eliciting opinion on the Bill to provide for the better administration of Sikh Gurdwaras situated in different States of Indian Union and for inquiries into matters connected therewith be further extended upto the 15th February, 1960"

This Bill is of vast importance inasmuch as it related to the administration of Sikh Gurdwaras situated throughout the country The principles of the Bill have, no doubt a general support of all, yet further time is called for to enable the managing societies of the Gurdwaras in far flung corners of the country to give their opinions I have received communications from different societies and friends throughout the country that in view of the all-embracing nature of the Bill and its importance, further consideration is necessary and the

*Published in the Gazette of India Extraordinary Part II—Section 2 dated 14-8-59.

public should be given an opportunity to give their opinion on its provisions. Besides it will also be necessary to consult the various bodies which might feel apprehensive of the effect of some of the clauses on their interests. Such consultation is also necessary to make necessary changes. Therefore, I would request that the House be pleased to grant a further six months before I move it for consideration.

Mr. Deputy-Speaker: The question is:

> "That the time appointed for eliciting opinion on the Bill to provide for the better administration of Sikh Gurdwaras situated in different States of Indian Union and for inquiries into matters connected therewith be further extended upto the 15th February, 1960."

The motion was adopted.

15.41 hrs.

EQUAL REMUNERATION BILL—contd.

Mr. Deputy-Speaker: The House will now resume further discussion on the motion for circulation of the Equal Remuneration Bill moved by Shrimati Renu Chakravartty on the 1st May, 1959.

Out of 2½ hours allotted for the discussion of the Bill, 1 hour and 23 minutes have already been taken up on the 1st May, 1959 and 1 hour and 7 minutes are now available for its discussion today.

Shri Abid Ali, Deputy Minister of Labour, may now continue his speech.

The Deputy Minister of Labour (Shri Abid Ali): Mr. Deputy-Speaker, most of the points which were raised on the last occasion were dealt with by me when the debate was postponed. Therefore, I will not be taking much time of the House. I was explaining that day that in various employments, there is no difference, so far as wage is concerned, because of sex. In Government employment and also in the public sector, like, Hindustan Telephone Industries and the like establishments, where a large number of women are employed, there is no difference so far as wages are concerned. Also, in plantations, mines and in categories like the clerical staff typists, stenos, teachers and the like, nowhere any difference will be found in this respect. A large number of employees are getting wages on the basis of piece rate. In that also there is no difference. There is a small number, who are of unskilled category and in some places, there is a difference, but that difference is because of the type and volume of work, like carrying of material in the constructional section. There, there is not only difference in the wages of male and female workers but also in wages concerning people coming from different regions. A worker from a particular region may be able to carry much more quantity at a time than other persons, coming from other regions, may be able to carry Women are not able to carry materials as much as male members are able to carry. Therefore, even between the males there is a difference in the wages so far as males coming from different regions are concerned. So, the wage is not only equal so far as time-rate and piece-rate are concerned, but in some sections for the same job, women are getting more wages

Directive principles contained in article 39(b), to which a reference was made, enjoins that there should be equal pay for equal work for men and women. Also, the Minimum Wages Act of 1948 does not make any distinction based on sex. The Central Minimum Wages Advisory Board recommended that the principle of equal pay for equal work should be complied with and that there should be no discrimination in wages on account of sex only. In respect of time rates also.... *(Interruption)*.

Mr. Deputy-Speaker: Laughter should not be so loud as to reach the whole House and disturb the proceedings

Shri Abid Ali: "In respect of time rates also, the rate should be equal for men and women employed for identical work Of course, it has to be made permissible—this I am quoting from the report of the Advisory Committee—to fix differential rates for men and women when their respective output was demonstrably unequal" Now, these principles have been accepted by the Central Government and also by the State Governments in the matter of minimum wages fixation

That day it was stated that we are bullied by certain interests and do not carry out these principles It is absolutely wrong In these matters not only do we do our part of the job very well but do it to the satisfaction of the workers at large

About maternity benefits also, a reference was made All the preliminaries have been completed The delay is because we have to consult various interests, both of workers and of employers and committees, conference, consultations and objections, all these have to be dealt with State Governments have to be consulted Therefore, there has been some delay I can appreciate that But I hope the amending Bill will be coming very soon and that should convince the hon Members that the propaganda by some sections about the delay in these matters does not influence us

About circulation my feeling is that all the facts are known and nothing more will come to light because of further enquiry All that is possible and necessary in this matter is being done and, therefore, we should not waste time and money by accepting this circulation suggestion

This should also be borne in mind that it is very easy to pass this Bill and have another Act on the statute book But will this bring employment or ensure the number of employment opportunities which are available to women? Of course, those who are in employment have complete protection But when those who are now in employment retire, have we any power by which we can ensure that the same number of women will remain in employment? What guarantee can there be for that? So, the hon Member should appreciate that more and more of these compulsions may result in reducing employment opportunities for women, but if the intention is to achieve that so that there may be more trouble and agitational interests may be served by that then, of course, I cannot have any quarrel with that But my feeling is that every reasonably minded person should appreciate that nothing should be done to further reduce the employment opportunities for women There is no case either for any enactment of the kind or for the circulation of the proposed Bill

Shri T B Vittal Rao (Khammam): Mr Deputy-Speaker Sir, at this stage

Shri Abid Ali: It was my reply, Sir, Now the hon lady Member, who moved the Bill, should reply, or I should be given another opportunity

Mr. Deputy-Speaker Normally, I should say that what he says has some force He has replied to the debate and the hon Mover should give her reply now

Shrimati Renu Chakravartty (Basirhat) He has just intervened in a debate on a non-official Bill Normally hon Ministers intervene

Mr Deputy-Speaker Who is to reply?

Shri Tangamani (Madurai) What happened was that on the last occasion, although only one hour was taken, the hon Minister was called upon to reply Now, there is one hour more left

Mr. Deputy-Speaker: If no hon. Member was prepared to speak or offer himself to speak, what could the Chair have done? I do not know what happened that day. I was not there.

Shri Tangamani: If necessary, the hon. Minister may be called upon to make further observations, if he so chooses.

Mr. Deputy-Speaker: He cannot go on making speeches again and again. One hon. Member cannot make two speeches in the same debate.

Shri T. B. Vittal Rao: The hon. Minister of Labour and Employment can reply.

Mr. Deputy-Speaker: He has replied on behalf of the hon. Minister and he is in charge of it. The hon. lady Member shall reply now.

Shrimati Renu Chakravartty: Mr. Deputy-Speaker, Sir, the hon. Deputy Minister has posed the problem whether we want more employment for women or we want protection for her welfare, that is, whether we want to enact certain welfare laws which will bring about further equality in wages etc. That posing of the question will not be very correct because there is no doubt about it that today one of the major problems that are facing the working class, specially women, is that there is a definite attack on the women workers. Her retrenchment is going apace and really uptil now the Government has done nothing to give her statutory protection. One of the big classic examples, of course, is the textile industry and the jute industry The hon. Minister is quite right when he says that as yet in India statutorily there is nothing to guarantee that even in the industries where women have been traditionally employed, like plantations, jute, textiles or mines, the average percentage of women will be kept at a level at which it has been during the last 15 years or so. Even that is not statutorily provided. Therefore, both the Labour Ministry and the working classes are being faced with this problem. They will have certainly to consider in what way they are going to provide some statutory security for women workers from being retrenched. The main attack in retrenchment is coming upon women. They are the first targets. This is an aspect which I would like the Government to consider. Obviously, it cannot be dealt with in this Bill.

On the question of equal wages, this has to be looked upon not as a question which is posed opposite to the question of the employment of women. I would like to have an Equal Wages Bill, a statutory Bill which need not necessarily be my Bill, but a Bill which may be a much improved version. With the help of the Labour Ministry and the Trade Unions, we can certainly make it a much better Bill. I would like, it could be incorporated in this Bill a clause which will give some protection to the working woman against the whims of the employers and against their powers of retrenchment I would welcome an amendment saying that in the departments where women are traditionally employed in the traditional industries, there should be laid down a certain percentage of women who must be given employment. A committee could be set up to determine the exact percentage of women which must be maintained in that industry. Because, there is no doubt about it that the number of women who are today seeking employment is growing. One of the things which I have always felt in the employment figures that are coming from the Planning Commission reports or in the calculations of the employment potential in the country is that this has always been based only on the figures of the unemployed men. The number of women today who are seeking employment either because they have no other means of subsistence or no other guardians,—may be widows with children—is increasing every day. Therefore, I am in favour of laying down a percentage of women

workers who have to be guaranteed employment in the major industries employing women and they have to be kept statutorily by the employers. The alternative course would be, before wanting to retrench a woman worker, the employer will have to show cause and get the permission of the Government and only when it is a legitimate cause, can she be retrenched. Some such guarantee should be embodied in such a bill. I would welcome it.

Instead of that, the hon. Minister has pleaded helplessness in this matter and he feels—and I appreciate that part of his feeling when he says that —that, may be, if we pass this Bill without making a condition that there will be no further retrenchment, the employment opportunities of women may be reduced. Therefore, I would plead that this Bill be circulated with the idea that it should be further improved upon, specially with regard to the question of retrenchment.

Beyond that, I would like to plead with the hon. Minister this. He has read to me the recommendations of the Minimum Wages Advisory Committee. This is a point that I had already noted down. On this question of minimum wages, when I raised the case of plantation labour, he pointed out that in plantation labour, it is piece rate. My point is this. I know the case of Darjeeling plantations better than the south. In the Darjeeling plantations, it is min mum wages that is implemented. If it is minimum wage, that is a wage below which a man or woman cannot exist, there is absolutely no justification for having a wage differential. It is also a fact that actually women pickers are much better pickers than men. As such, there should be no difference between women and men as regards minimum wages. Regarding the difference in the nature of the job, even in my Bill itself, I have made that provision that if there is difference in the job, if there is difference in lead and lift, certainly there should be difference also in wages. I do not plead that even if a woman does much less work, she must be given the same wages. I do not plead for that. But, I do say that the nature of the job, the lead and lift and other intricacies of the job itself, the technical skill required, etc. should be evaluated by a Committee and on the basis of that, the wages can be set down. But, the principle guiding it must be equal wage for equal work. I would like to know from the hon. Minister—I do not know if he will answer; I think he will not be answering—I would like him to consider this. In the case of minimum wages, the Advisory Committee has made recommendations. The Agricultural Labour Enquiry report shows that the figures are different between men and women. I do not know what is going to happen there. Now that the Committee has made its recommendations regarding equal wages, what is going to ensue? Are we going to make statutory changes? Will the minimum wages be revised and the schedules and charts revised and brought to the same level? There again, my point will be, when you do it without providing some law by which some kind of protection could be given to the women workers, it will be dangerous. That has to come side by side with that.

There is the question of closure which the employer always puts forward and which has led to this decrease in the number of women workers. As soon as we have tried to implement any social law or labour law, whether it is maternity benefit or wages, whenever we attempt to implement equal wages, or even such rules as banning women from working underground, that has led to a fall in the number of women workers. The hon. Minister says that we shall be using voluntary methods and we shall try to create that atmosphere. What has happened? When it has been statutorily enforced with the help of trade union organisations, with the strength of the trade union organisations as well as the vigilance of the Government, the attempt of the employers has been—and it will

[Shrimati Renue Chakravartty]

always be there—to avoid paying proper maternity benefits or other social amenities. They cannot avoid paying maternity benefits. But whenever we have elected voluntary methods, what is the position? For example, there is the industrial housing scheme. The scheme is such that the more attractive terms the Government comes forward and gives to employers, we find still the employers are not prepared to cut any of their profits to contribute even the amount which they have to give in order to bring about industrial housing, with the result that industrial housing even today is not coming up. There are very few industries, even if we take the total industries in India where industrial housing has come up satisfactorily I think it will be very difficult to implement voluntarily social laws to protect the rights of women Therefore, I was pleading with the House and with the Minister that in order to achieve the very objective which he has enunciated, that is, creating an atmosphere by which the tendency to reduce employment opportunities of women is checked, and in order to see tha an atmosphere is created where social laws will be welcomed, circulation of the Bill is necessary The necessity of social laws is recognised I have not pressed immediately that you should pass this Bill Certainly public opinion must be enlightened on this point The working classes and trade unions themselves must come forward to take up this agitation as well as to make further improvements in the body of this Bill itself

These are some of the points which I wanted to urge. I feel this is an argument that the employers are always putting forward They almost put the trigger at your chest and say, either you want employment or take away your social laws; if you want social laws, if you want equal wages, we do not employ women. This is the state of affairs that is coming I feel that in the context of today, only ratification of Convention 100, which has been ratified by our Government, is not going to do justice. That ratification is essential. With that, there should be a law to implement the principles which we are accepting. The machinery should be set up.

I would urge that this Bill be allowed to be circulated for the purpose of eliciting public opinion. Let it be considered by committees of Government and by the Ministry itself again May be, after some time, we may be in a position to have the help of the trade union organisations to bring forward a correct Bill, a Bill which will be able to give security to the woman worker, which is very necessary, and which will also ensure for her justice in the way of wages which is also needed today when larger and larger numbers of women are coming forward seeking employment

16 hrs

Lastly, this principle of equality is, if at all, being implemented only in the higher categories, that is, in the case of skilled workers educated workers and the professional classes, both men and women are getting equal wages, but the more unskilled the job, the more helpless the woman She has no education and she has possibly to contend with much greater poverty To that class we have not given the amount of attention that we should have given in regard to equal wages. And that is why I plead on behalf of these unskilled categories who in numbers are the largest wage-earners among working women The higher educated classes are certainly coming out in larger numbers to work, but as yet, the factory workers, the unskilled categories of workers and the casual workers are the largest number of wage-earners among women, and for them it is right that this principle should be accepted. No doubt differentiation can be made according to the

nature of the work, but certainly on the question of minimum wages, it must be made the same, and where the nature of the job is the same, certainly equal wages should be paid.

Mr. Deputy-Speaker: The question is:

"That the Bill to introduce equal pay for equal work for women workers be circulated for the purpose of eliciting opinion thereon by the 30th September, 1959."

The motion was negatived.

16.03 hrs.

CODE OF CRIMINAL PROCEDURE (AMENDMENT) BILL

(Omission of sections 107, 109 and 110 and amendment of section 161) by Shri Jagdish Awasthi.

श्री जगदीश अवस्थी (सिधौर) उपाध्यक्ष महोदय, मैं यह विधेयक प्रस्तुत करता हूं

"That the Bill further to amend the Code of Criminal Procedure, 1898 be taken into consideration."

यदि इस विधेयक को देखा जाय तो इसमें स्पष्ट है कि धारा १०७, १०९ और ११० जिस प्रकार से इस कानूनी पुस्तक में रक्खी गई है, उन की शब्दावली से मालूम होता है कि किसी भी व्यक्ति को जिसने अपराध सचमुच किया नहीं, लेकिन करने की आकांक्षा है या उस पर इस प्रकार का शक है, तो उसे दण्डित किया जा सकता है। आप धारा १०७ को लें। इस धारा १०७ में जो शब्दावली है, उस से केवल एक ही बात स्पष्ट होती है कि ऐसे व्यक्ति को जिसकी तरफ से यह आशंका हो कि शान्ति भंग होने की सम्भावना है, उस व्यक्ति को पुलिस या राज्य गिरफ्तार कर सकता है, जेल में भेज सकता है और मैजिस्ट्रेट के सामने प्रस्तुत करके उस को दण्ड दिलाया जा सकता है। मैं निवेदन करना चाहता हूं कि यदि आप सारी विश्व की दण्ड व्यवस्था को देखें तो इस दण्ड व्यवस्था में एक ही सिद्धान्त है और वह यह कि जब तक कोई मनुष्य अपराध न करता हो तब तक उसे आप दण्ड नहीं दे सकते हैं। कल्पना कीजिये कि एक व्यक्ति दूसरे व्यक्ति को पीट दे, उस को मार दे, या सशस्त्र हमला कर दे तब राज्य का कर्तव्य है कि उनके बीच में वह दखल दे और जो दोषी व्यक्ति है उसे पकड कर दंड दिया जाय। अगर आप इस सारे दण्ड पर इस धारा को देखें तो कहीं इस में इस बात का जिक्र नहीं है कि कोई व्यक्ति जब अपराध करता है तभी उसे दंडित किया जाय। इसमें स्पष्ट है कि केवल आशंका से आप उसे दंडित कर सकते हैं। मैं समझता हूं इस स्वतन्त्र भारत में जो हमारी दण्ड व्यवस्था होनी चाहिये उसमें यह सिद्धान्त हर व्यवहार में लागू होना चाहिये कि जब तक कोई व्यक्ति अपराध न करे, उसे दण्डित न किया जाय। लेकिन धारा १०७ इस सिद्धांत के विपरीत है। इसलिये इस सिद्धान्त की दृष्टि से इस धारा १०७ का हमारी कानूनी पुस्तक में रहना आवश्यक नहीं है। इस दृष्टि से भी मैं यह कहना हूं कि अगर हम अपने भारतीय संविधान को देखें, तो उसमें भी यह लिखा हुआ है और उस में इस बात की गारण्टी दी गई है कि प्रत्येक व्यक्ति को लिखने पढने की और बोलने की आजादी है। इस पर कोई प्रतिबन्ध नहीं लगाया जा सकता। लेकिन धारा १०७ को अगर आप देखें, उसकी शब्दावली को अगर आप देखें तो उसमें आज भी ऐसा हो रहा है कि अगर किसी व्यक्ति को किसी व्यक्ति से राज्य के लिये आशंका है, उस के भाषण देने से राज्य को खतरा है तो उस व्यक्ति को इस धारा में गिरफ्तार किया जा सकता है। यह केवल किया ही नहीं जा सकता है बल्कि सचमुच ही व्यवहार में ऐसा हो भी रहा है। एक

[श्री जगदीश अवस्थी]

निःशस्त्र व्यक्ति अगर वाणी से अपनी कोई बात कहता है तो फिर जब तक वह सशस्त्र क्रान्ति न कर दे, जब तक राज्य को सचमुच कोई हानि न पहुचा दे तब तक आप किस प्रकार से उस पर यह आरोप लगा सकते है कि उससे राज्य को सचमुच बहुत बडा खतरा पैदा हो गया है ? हमारा संविधान स्पष्ट कहता है कि जब तक सविधान की धारा मौजूद है तब तक आप धारा १०७ को लागू करके एक व्यक्ति की स्वतन्त्रता को आघात पहुंचाते है । इसलिये यदि आप अपने सविधान की मूल आत्मा को देखे तो उस मूल आत्मा मे स्पष्ट है कि हमारे कानून मे कोई ऐसी धारा नही होनी चाहिये जो हमारे सविधान को इस धारा को अपमानित करती हो । आज जिस रूप मे इस धारा १०७ का प्रयोग होता है वह निश्चित रूप से बहुत ही खराब है । जब कभी देश के अन्दर जन आन्दोलन चलते रहे है, उन जन आन्दोलनो मे जिस प्रकार इसका प्रयोग हुआ है पिछले १२ वर्षों मे, वह इतिहास वास्तव मे बडा दुखद और बडा ही घृणाजन्य है । जिस प्रकार से पिछली मर्तबा मैंने सदन मे दफा १४४ का प्रस्ताव प्रस्तुत करते हुए कई उदाहरण उपस्थित किये थे, उसी प्रकार से इसके भी कई उदाहरण पेश किये जा सकते है कि किस प्रकार से विभिन्न राज्यो मे इस धारा १०७ का मनमाने ढग से दुरुपयोग हो रहा है । अगर मै इस के बहुत से उदाहरण दूगा तो सदन का बहुत समय लग जायेगा, लेकिन फिर भी मै दो एक उदाहरण देना आवश्यक समझता हू कि आज प्रदेशो में पुलिस किस प्रकार से इसका प्रयोग कर रही है । राजस्थान मे एक आन्दोलन चला और उस आन्दोलन मे बहुत से लोग गिरफ्तार किये गये । मध्य प्रदेश के एक सोशलिस्ट पार्टी के नेता जब राजस्थान में गये तो उन के साथ धारा १०७ का प्रयोग किया गया । उनका नाम श्री लाडली मोहन निगम था । उनके साथ किस प्रकार से इस धारा के अन्तर्गत दुर्व्यवहार किया गया यह मै सदन के सम्मुख रखना चाहता हू । इस से इसका दुरुपयोग स्पष्ट हो जायेगा ।

"श्री लाड़ली मोहन निगम राजस्थान सत्याग्रह के सिलसिले मे बांसवाड़ा गये हुए थे । वहा पुलिस ने उन्हे आते ही १०७ दफा में पकड़ लिया । एक दूसरी दफा में उन्हें १५ दिन की सजा हो गयी । पुलिस ने कानून का पूरे राजस्थान में गला घोटा । मजिस्टरी व पुलिस का नीच व घृणित गठबन्धन जितना राजस्थान मे है उतना और कहीं नही है । सत्याग्रहियो को पुलिस ने पीटा व उनकी औरतो के साथ दुर्व्यवहार किया । लाडली जी को पुलिस ने मारा तो नही लेकिन उनको तकलीफ खूब दी । गालिया सुनाईं । खाने को बहुत बुरी रोटिया दी गईं । उनको अपना झोला व बिस्तर भी नही दिया गया । बडी गन्दी जगह मे इन्हे रखा गया । एक वकील ने, जिसका नाम श्रीपत है और जो जनसघी है, जब लाडली जी की तरफ से वकालत नामा पेश किया तो इसके बाद पुलिस ने इस वकील को मारा व उसे पिस्तौल दिखाई ।

मजिस्टर ने लाडली जी को १००० रु० की जमानत पर १००० रु० का मुचलका देने को कहा, नही तो इसके बदले में १ साल की सजा मिलेगी । जितने भी जमानतदार लाडली जी को छुड़ाने गये, उन सबको पुलिस ने १०७ में बन्द कर दिया । यहां तक कि जब सीमच के कामरेड एडवोकेट डूगरवाल कामरेड मधु की पैरवी करके लाडली जी की तरफ से पैरवी करने बांसवाडा गये तो उन्हें भी जेल भेज दिया गया । बड़ी मुश्किल से वकील साहब छूटे ।"

उपाध्यक्ष महोदय: माननीय सदस्य ने कहां से इस को पढ़ा है ?

श्री जगदीश अवस्थी : मैंने एक पत्रिका है उससे उदाहरण दिया है, यदि आप चाहें तो मैं सदन की मेज पर इसे रख सकता हूं।

इस घटना से स्पष्ट है कि दफा १०७ का पुलिस द्वारा किस प्रकार से दुरुपयोग किया जाता है। इतना ही नहीं उत्तर प्रदेश जहां से कि मैं आता हूं और वहां की हालत से भली भांति परिचित हूं, अगर यह कहूं कि उत्तर प्रदेश में इन पिछले ११-१२ सालों में जनतन्त्र नहीं चल रहा है बल्कि पुलिस राज कायम है तो इसमें कोई अतियुक्ति नहीं होगी। यह देखने में आया है कि जब कभी उत्तर प्रदेश में विरोधी पार्टियों द्वारा कोई आन्दोलन चलाया जाता है, और जो कि शान्तिपूर्ण होते हैं तो वहां की राज्य सरकार और वहां की पुलिस भिन्न भिन्न जिलों में जो भी इस तरह के अहिंसात्मक और शान्तिपूर्ण आन्दोलन चलते हैं, उनको पूरी तरह कुचलने के लिये और जो भी आवाज वहां के शासन के खिलाफ उठे उसे पूर्ण रूप से बन्द करने के लिये इस १०७ दफा का आश्रय लिया जाता है और इस दफा के अधीन तमाम अपने राजनैतिक विरोधियों को चुन चुन कर बन्द कर दिया जाता है।

मेरे मित्र श्री प्रभु नारायण सिंह यहां पर बैठे हुए हैं और मैं आशा करता हूं कि इस सदन को उनकी जबानी वह तमाम वाकयात सुनने को मिलेंगे जो कि स्वयं उनके साथ उत्तर प्रदेश में घटित हुए। सन् १९५७ में जब उत्तर प्रदेश के अंदर से विदेशी मूर्तियों को हटाने का आन्दोलन चला तो उनको इस १०७ दफा के मातहत गिरफ्तार कर लिया गया और वे खुद बतलायेंगे कि हाईकोर्ट ने किस प्रकार उनको छोड़ा। अभी जो उत्तर प्रदेश में खाद्य आन्दोलन चला उसमें भी वे पुनः इसी दफा के अन्दर गिरफ्तार किये गये और किस प्रकार से वह हाईकोर्ट के छूटे।

उत्तर प्रदेश में सन १९५७ के चुनावों के पश्चात् जब कि शासक दल बहुत जगह हारा तो जिन लोगों ने कांग्रेस को हराने में कोशिश की थी, योग दिया था और कांग्रेस के मुकाबिले विरोधी पक्षों के उम्मीदवारों को जिताया था, उन लोगों के विरुद्ध भी पुलिस ने मनमाने ढंग से धारा १०७ का दुरुपयोग किया। कानपुर जिले से जहां का कि प्रतिनिधित्व करने का मुझे गौरव प्राप्त हुआ है, वहां का मैं एक उदाहरण देना चाहता हूं। हमारे कानपुर में पाली नाम का एक गांव है जहां पर कि एक बहुत ही इज्जतदार और सम्भ्रान्त व्यक्ति हमारे जिले के ठाकुर नयनसिंह रहते हैं जो कि दस वर्ष तक निरन्तर जिला बोर्ड के चेयरमैन रहे और चुनाव के समय उन्होंने हम लोगों का साथ दिया। जब चुनावों में वहां से विधान सभा की सीट के लिये कांग्रेस पार्टी का उम्मीदवार पराजित हो गया तो उन पराजित महानुभाव ने जिला कलक्टर से मिल कर, हालांकि पुलिस ने इसके बारे में कोई खिलाफ रिपोर्ट नहीं की थी तो भी एक किसी रिपोर्ट के नाम पर उनके ऊपर १०७ का नोटिस तामील करवा दिया और लगातार ६ महीने तक उनको धारा १०७ के अन्तर्गत कचहरी में आना पड़ा। अब जब एक ऐसे प्रतिष्ठित व्यक्ति के विरुद्ध जो कि शान्तिपूर्ण है और जिनसे कि शान्ति के भंग होने की कोई आशंका नहीं है, उनके विरुद्ध जब इस दफा १०७ का प्रयोग कर दिया जाता है तब और लोगों की तो बात ही क्या पूछना। मैं एक नहीं अनेक इस सम्बन्ध में सदन के सामने उदाहरण पेश कर सकता हूं जिसमें १०७ दफा का इस तरह नाजायज तौर पर इस्तेमाल किया गया और जिसका कि उद्देश्य महज अपने राजनैतिक विरोधियों का दमन करना और उनका मुंह बन्द करना है।

इसी तरह हमारे पार्टी के मन्त्री जो कि पिछले चुनाव में कुछ ही वोटों से निर्वाचित होने में रह गये तो कांग्रेस वालों ने अपनी स्वार्थ सिद्धि के लिये उनके विरुद्ध इस धारा का प्रयोग करवाया। आज भी अगर आप देखें तो पायेंगे कि इस प्रदेश के भिन्न-भिन्न जिलों में जो विरोधी पक्ष के लोग हैं उनके

[श्री जगदीश अवस्थी]

विरुद्ध इस दफा १०७ का प्रयोग किया जाता है। भारतीय संविधान ने जो लोगों को मौलिक अधिकार दिये है उनका प्रयोग करने से आप अपने से विरोधी विचार रखने वालो को वंचित रखने है। आप बहाने से उनके विरुद्ध दफा १०७ का प्रयोग कर रहे है। ऐसे समाजसेवी लोग जिनको कि जनता चुन कर भेजती है आप उनको शान्ति भग होने के अदेशे के नाम पर पकड कर बन्द कर देते है और इस प्रकार वे संविधान में जो अधिकार उनको प्राप्त हैं उनका उपयोग करने मे वह वंचित रह जाते है। उत्तर प्रदेश मे जिससे कि मेरा सम्बन्ध है, वहा की मजिस्ट्रेसी और पुलिस मिल कर धारा १०७ का प्रयोग करती है। मै तो समझता हू कि शायद गुलाम भारत में भी हमारे उत्तर प्रदेश में इस दफा १०७ का उतना प्रयोग नहीं होता था जितना कि भारत स्वाधीन होने के समय से हो रहा है। आज उत्तर प्रदेश मे शायद ही कोई ऐसा जिला बाकी बचा होगा जहा कि इस धारा १०७ का प्रयोग करके लोगो को सालो कचहरियो मे न दौडाया जाता हो। यहा तक भी देखा गया है कि पुलिस कुछ लोगो के खिलाफ रिपोर्ट करती है कि इनसे राज्य की शान्ति भग होने का अदेशा है और कभी कभी जब मजिस्ट्रेट्स के यहा दोनो तरफ के लोगो को बुलवा कर सुन लिया जाता है और दोनो पक्ष के लोग यदि समझौता भी कर लेते है तब भी पुलिस उनको रिपोर्ट नही देती है और इनको परेशान किया जाता है और वे बेचारे सुबह से शाम तक ४०, ४० का गोल बाध कर हेड क्वार्टर मे आते है और शाम के वक्त कह दिया जाता है कि पेशी बढ गई। इस तरह से उनके समय को बर्बाद किया जाता है और परेशान किया जाता है।

मेरे अपने क्षेत्र के एक व्यक्ति के विरुद्ध जिसका कि पैर लंगडा था इस १०७ का प्रयोग किया गया और उनको परेशान करने के लिये उसके मुकदमे की सुनवाई की तारीख बढा दी जाती थी। अन्त में एक दिन वह मुझे से मिला तो मैने उससे कहा कि तुम मजिस्ट्रेट महोदय से कह दो कि अगर मुझ से राज्य की शान्ति भंग होने का अंदेशा है तो मुझे भले ही जेल भेज दीजिये या पुलिस से आप कहिये कि वह सबूत पेश करे। लेकिन उसके साथ होता यह था कि सबूत के अभाव में तारीख बढा दी जाती थी और उसको व्यर्थ में परेशान किया जाता था। जब मजिस्ट्रेट से उसने यह बात कही तब चूंकि उसके विरुद्ध कोई पुलिस ने सबूत फराहम नहीं किया था इसलिये उसको १०७ की दफा से मुक्त कर दिया।

उत्तर प्रदेश और खास करके कानपुर में जैसा मैने निवेदन किया वहा की मजिस्ट्रेसी और पुलिस द्वारा मिल कर निर्दोष और शान्तिप्रिय व्यक्तियों को परेशान करने की दृष्टि से धारा १०७ मे उनको बाध दिया जाता है और उसका दुरुपयोग किया जाता है। इसलिये मै चाहता हू कि अब समय आ गया है जबकि इस विषय पर गम्भीरतापूर्वक सोचा जाय और यह न भुला दिया जाय कि अब तो हमारा भारत स्वाधीन हो गया है और भारतीय संविधान के रहते इस प्रकार की धाराओ का हमारे कानून मे रहना गलत है और अनुचित है। हमे इस बात का व्यवस्था कर देनी है कि अब तो कम से कम जो शान्तिप्रिय व्यक्ति है और जिनसे कि राज्य को शान्ति का कोई खतरा नही है अलबत्ता जो कि शासक दल से भिन्न और विरोधी विचार रखते है, उनके विरुद्ध इस दफा १०७ आदि का दुरुपयोग न किया जाय।

मेरे विधेयक में दफा १०६, ११० का भी कोड आफ क्रिमिनल प्रोसीज्योर कोड से ओमिट करने की मांग की गई है। मै समझता हू कि इतना व्यापक झूठ शायद कभी नही बोला जाता है जितना दफा १०६ मे बोला जाता है और जिसका कि प्रयोग लोगो के विरुद्ध कार्यवाही करने में पुलिस द्वारा किया जाता है। मेरा तो सदा से विश्वास है कि दफा १०६ के अलावा विभिन्न राज्यों के आकडे

इकट्ठे किये जायं और उन अभियोग पत्रों को जिनके कि आधार पर लोगों के विरुद्ध कार्यवाही की जाती है इकट्ठे किये जायें वह तो एक मनगढ़न्त कहानी का बड़ा पोथा बन सकता है। वैसे दफा १०९ की शब्दावली बहुत थोड़ी है लेकिन सब कोई जानते हैं कि उसका प्रयोग किस भीषण और गलत ढंग से होता है। हाई कोर्ट्स तक तो मुकदमे पहुंच ही नहीं पाते हैं और लोअर कार्टस से जिनको सजा हो जाती है और जिनके कि विरुद्ध अपीलों की जब सुनवाई होती है और उनके सम्बन्ध में जो न्यायाधीश और मजिस्ट्रेट्स लोग निर्णय देते हैं उनको अगर आप देखें तो उनसे आपको असल हाल मालूम होगा। मैं समझता हूं कि इस सदन के बहुत से माननीय सदस्यों का इस १०९ दफा के जाल से वास्ता पड़ा होगा। मेरा यह सौभाग्य है कि मुझे इसका स्वयं जाती अनुभव नहीं है, लेकिन जिनको कि इससे साबका पड़ा है वे खूब जानते हैं कि किस प्रकार से इसका दुरुपयोग पुलिस भीषण रूप से करती है। इस दफा की शब्दावली अगर आप देखें तो आपको मालूम पड़ेगा कि इस देश की कई करोड़ जनसंख्या ऐसी है जिनके कि पास न रहने को मकान हैं और न खाने को ही पर्याप्त भोजन मिल पाता है। जीविका का उनके पास कोई समुचित साधन नहीं है और मेरी समझ में धारा १०९ का प्रयोग उन्हीं लोगों पर किया जाता है। हम गरीब हैं, हम दुखी दरिद्र हैं इसका यह मतलब नहीं है कि धारा १०९ को रख कर इस दुखी और गरीब देश को अपमानित किया जाय।

आप धारा १०९ को इसलिये रखते हैं ताकि वाकई वे जो अपराधी व्यक्ति हों उनको इस के अधीन दंडित किया जाय लेकिन मैं अपने माननीय मंत्री महोदय से पूछना चाहता हूं कि क्या सचमुच धारा १०९ में जो व्यक्ति चालान किये जाते हैं क्या वे वास्तव में चोर और बदमाश होते हैं? आप इस बात को देखें कि जो व्यक्ति १०९ में गिरफ्तार होते हैं और मजिस्ट्रेट के सामने पेश किए जाते हैं वह कहीं गिरफ्तार किये जाते हैं, लेकिन चार्जशीट में यह लिखा जाता है कि चार आदमी अमुक स्थान पर जा रहे थे, उनमें से एक दो आदमी के पास मोमबत्ती, दियासलाई और लोहे की छड़ थी और वह सेंध लगाने जा रहे थे। उसी समय पुलिस के आदमी आ गए और उन चार आदमियों में से तीन भाग गए और एक आदमी को पकड़ लिया। इस प्रकार के अभियोग पत्र रखे जाते हैं। और जो व्यक्ति पकड़ा जाता है वह गरीब और साधनहीन होता। उसके पास वकील करने का साधन नहीं होता और न वह अपने पक्ष में गवाह ला सकता है। पुलिस वाले उसको लालच देते हैं कि अगर तुम अपना अपराध स्वीकार कर लोगे तो तुम को छोड़ दिया जाएगा और वह स्वीकार कर लेता है। परिणाम यह होता है कि छोटी अदालत में शायद ही कोई ऐसा केस होता हो जिसमें एक साल की सजा न ठोक दी जाती हो और उसको जेल में न भेज दिया जाता हो। अगर हिन्दुस्तान की जेलों की दीवारों के कान, कान और मुंह होते तो वे इन बातों को ठीक तरह से बयान कर सकती। मैं इस सदन को बतलाना चाहता हूं कि शायद उत्तर प्रदेश में ही इस धारा १०९ के अन्तर्गत ५-६ हजार के बीच व्यक्ति जेलों में होंगे और सारे देश में २० या २५ हजार व्यक्ति इस धारा के अन्तर्गत जेलों में होंगे। और जो व्यक्ति एक बार इस धारा में जेल चला जाता है उसको छूटने पर पुलिस वाले फिर बन्द करवा देते हैं। कभी कभी तो यह देखा जाता है कि इधर वह जेल से छूटता है और उधर पुलिस उसको पकड़ लेती है। और फिर उसको सजा कर दी जाती है।

मजिस्ट्रेटों की यह दशा है कि वही मोमबत्ती, दियासलाई और लोहे की छड़ जो एक मुकदमे में पेश की जाती है उसी को दूसरे मुकदमों में भी एग्जिबिट कर दिया जाता है। इस तरह की बहुत सी विलक्षण बातें इस

[श्री जगदीश अवस्थी]

धारा के केसों में होती है जिनसे माननीय सदस्य परिचित होंगे । इसमें शक नहीं कि इस प्रकार न्याय की हत्या की जाती है । मैं तो यह मानता हूं कि यदि किसी को दण्ड भी मिलता है तो उसको नियम के अनुसार मिलना चाहिए । यदि कोई एक भी निर्दोष व्यक्ति दण्ड पाता है तो यह सरकार और न्याय व्यवस्था के लिये कलंक की बात है । लेकिन धारा १०९ को इस रूप में प्रयोग करके बड़ा ही निन्दनीय कार्य हो रहा है ।

और इस बात को केवल मैं ही नहीं कह रहा हूं । हमारे बहुत से न्यायाधीशों ने जो इस सम्बन्ध में निर्णय दिये हैं वे आंख खोलने वाले हैं । मैं खुद सदन के सामने

उपाध्यक्ष महोदय अभी माननीय सदस्य दफा १०९ तक ही पहुंचे हैं अभी ११० और १६१ बाकी हैं ।

श्री जगदीश अवस्थी उन पर बहुत थोड़ा कहना है । सबसे दिलचस्प धारा यही है ।

उपाध्यक्ष महोदय ११० इससे भी ज्यादा दिलचस्प है ।

श्री जगदीश अवस्थी उसमें तो यह साबित करना पड़ता है कि यह आदमी है बिचुअल है, उसके खिलाफ रिपोर्टें होनी चाहियें । लेकिन इस दफा में तो किसी रिपोर्ट की जरूरत भी नहीं होती । इसलिये यह बहुत दिलचस्प है ।

उपाध्यक्ष महोदय दिलचस्प बनाना या न बनाना तो आपके वश में है ।

श्री जगदीश अवस्थी मैं बहुत थोड़ा समय लूंगा ।

अभी सन् १९५६ में कानपुर नगर और जिले में इस दफा का बड़ा भीषण दुरुपयोग हुआ और वहां के न्यायाधीश ने इस दफा के सम्बन्ध में कई निर्णय दिये हैं । एक व्यक्ति बाबूलाल की अपील स्वीकार करते हुए न्यायाधीश ने निम्नस्थ मजिस्ट्रेट की कटु आलोचना की है और कहा है कि विद्वान् मजिस्ट्रेट ने निर्णय में लापरवाही की है । उनका निर्णय संक्षिप्त और स्पष्ट है । न्यायाधीश ने यह भी आदेश दिया है कि उनके निर्णय की एक प्रतिलिपि जिला मजिस्ट्रेट को भेज दी जाए ताकि वे उचित कार्रवाई कर सकें । यह निर्णय स्थानीय समाचार पत्र में छपा था । उसमें कहा गया था .

"अपील कर्ता बाबूलाल को भारतीय दंड विधान की धारा १०९ के अन्तर्गत २५० रुपये का अपनी मुचलका तथा इतनी ही रकमों की दो जमानतें ६ माह की नेक-चलनी के आश्वासन के साथ दाखिल करने का आदेश मजिस्ट्रेट द्वारा दिया गया था ।

विद्वान् न्यायाधीश ने निर्णय में लिखा है कि अभियुक्त के विरुद्ध यह मामला था कि उस ने ४ और ५ सितम्बर, १९५५ के मध्य की रात्रि को प्रातः २ बजे के लगभग गांधी नगर (मीसामऊ) क्षेत्र में कुछ अपराध करने की नीयत से देख भाल कर रहा था।

१२ अक्तूबर, १९५५ को अभियुक्त को जो नोटिस मजिस्ट्रेट द्वारा दिया गया था उस में यह वर्णित नहीं था कि किस समय और स्थान पर अपीलकर्ता अपने को छिपाने के उद्देश्य से कार्यवाही कर रहा था। नोटिस में इन पूर्तियों का स्थान बिना कुछ लिखे खाली छोड़ दिया गया है ।

इस कारण नोटिस स्पष्टतया अस्पष्ट एवं अबंध था । जब अपीलकर्ता के बयान लिये गये तब भी उसे नहीं बताया गया कि किस दिन और किस समय पर वह अपराध करने की गरज से अपने को छिपाने की कोशिश कर रहा था । इन पूर्तियों का स्थान रिक्त छोड़ दिया गया है । यह बहुत गम्भीर बात है और यह प्रकट करती है कि कुछ मजिस्ट्रेट

धारा १०९ के मामलों के विचार के समय उन पर उचित ध्यान नहीं देते ।

अपीलकर्ता के पास से चोरी का कोई सामान बरामद नहीं हुआ है । साक्षी पक्ष के अनुसार उस के पास केवल एक दियासलाई और मोमबत्ती निकली थी । इन से यह स्पष्ट नहीं होता कि वह यह चीजे चोरी करने के ही उद्देश्य से अपने पास रखे था । विद्वान् मजिस्ट्रेट का निर्णय संक्षिप्त एव अस्पष्ट है । साक्षियों के बयान न तो दर्ज किये गये हैं और न विद्वान् मजिस्ट्रेट ने उन की समीक्षा ही की है । उन्होंने केवल यही कहा है कि गवाहों ने साक्षी पक्ष की बातें पुष्ट की हैं । उन्होंने क्या कहा था यह लिखा होना चाहिये था ।"

सब न्यायाधीश ने इन अनियमितताओं के कारण अभियुक्त को छोड़ देने का निर्णय दिया । इसी प्रकार के और भी बहुत से निर्णय होते हैं । और समाचार पत्रों मे निकलते रहते हैं । लेकिन मैं उन निर्णयों को पढ़ कर सदन का समय नहीं लेना चाहता । केवल यही कहना चाहता हू कि इस तरह से न्याय की बड़ी हत्या होती है । इस के अतिरिक्त कुछ मामलों में निर्णय होने मे बहुत समय लगा दिया जाता है । कभी कभी साल डेढ साल तक लग जाता है । यह एक सिद्धान्त है कि जब न्याय देर से मिलता है तो वह न्याय नहीं होता है । इस प्रकार किसी निरपराध व्यक्ति को डेढ़ साल तक बन्द रखना बहुत गलत है । इसीलिये मैं इस धारा को हटवाना चाहता हू ।

अब मैं सदन के सामने यह प्रकट करना चाहता हूं कि धारा ११० का किस प्रकार दुरुपयोग हो रहा है । आज हर गाव मे हमारे यहा दलबन्दी का राज है । जब से उत्तर प्रदेश मे पंचायत राज कायम हुआ है तब से और कुछ चाहे हुआ हो या न हुआ हो, घर घर मे दलबन्दी जरूर बढ़ती जा रही है और पुलिस का रोब बढ़ता जाता है । एक आदमी दूसरे के खिलाफ रिपोर्ट लिखा देता है जिस का उस को पता नहीं लगता । कुछ समय के बाद उस को हैबिचुअल कह कर उस पर मुकदमा चला दिया जाता है । अभी मेरे क्षेत्र में दो सगे भाइयों के विरुद्ध धारा ११० का प्रयोग किया गया । उन से पुलिस और गांव के लोग नाराज थे और वे धारा ११० के शिकार हुए । मैं समझता हू कि धारा १०९ और ११० जो कि हमारे प्रजातन्त्र के लिये कलंक है उन को हटा दिया जाना चाहिये ।

अन्त मे मैं धारा १६१ के बारे मे कुछ कहना चाहता हूं । धारा १५४ मे पुलिस को अधिकार है कि वह किसी अपराधी व्यक्ति का बयान ले सकती है । उस के बारे में नियम यह है कि उस बयान की प्रतिलिपि और जो भी अभियुक्त के बारे मे डायरी मे और चर्चा हो उस की प्रतिलिपि जिलाधीश को भेजी जाय । एक प्रतिलिपि सुपरिन्टेन्डेंट पुलिस को भेजी जाये और एक प्रतिलिपि पुलिस आफिस मे रहे । ताकि पुलिस किसी अपराधी के पक्ष विपक्ष मे अपने विवेक का दुरुपयोग न कर सके । लेकिन व्यवहार मे यह होता है कि प्रथम सूचना रिपोर्ट ही देर से लिखी जाती है, कभी कभी २४ घटे बाद लिखी जाती है । और जब लिखी जाती है तो उन में लोगों का हत्या और डकैती जसे अपराधों में गलत नाम लिखा दिया जाता है । अगर पुलिस किसी व्यक्ति के खिलाफ है तो उस का नाम उनमे लिख दिया जाता है । और ये डायरियां उपस्थित कर दी जाती हैं। जो वकील लोग हैं, वे जानते हैं कि पुलिस कभी भी नियम के अनुसार चौबीस घटे मे डायरी नही भरती है और सुपरिन्टेन्डेन्ट के कार्यालय मे नहीं भेजती है । हमेशा हफ्ता, पन्द्रह बीस दिन के बाद डायरी भर कर भेजती है और यहा तक होता है कि जिन जिम्मेदार अधिकारियों के पास प्रतिलिपिया जाती हैं, जो कि कार्यपालिका के अंग होते हैं, वे भी बैक डेट से किसी पिछली तारीख से दस्तखत कर देते हैं ।

[श्री जगदीश अवस्थी]

इस लिये हम ने इस बिल में मांग की है कि अगर एक प्रतिलिपि सेशन्ज जज के पास पहुंचाई जाया करे, तो सेशन्ज जज कभी भी पिछली तारीखों में दस्तखत नहीं कर सकता, क्योंकि अब तक इस देश को और हमारे जैसे लोगों को विश्वास है कि इस देश की छोटी और बड़ी अदालतों से—सेशन्ज कोर्ट, हाई कोर्ट, सुप्रीम कोर्ट से—अब भी न्याय मिलता है। वे कभी भी पुलिस की फैब्रिकेशन और ट्विस्टिंग का समर्थन नहीं कर सकतीं। अगर उस की एक कापी न्यायाधीश के पास पहुंच जाया करे, तो पुलिस को यह करने का अवसर नहीं मिल सकता कि अभियुक्त को आज पकड़ना है, अगर नहीं पकड़ा गया, तो उस के बारे में जो चाहे डायरी भरती रहे, उस के बारे में जो चाहे आरोप लगाती रहे और अधिकारी लोग उस पर साइन कर दें। मैं एक घटना का वर्णन कर के अपनी बात समाप्त करता हूं। जिला कानपुर स्थित सिठमरा गांव में, जहां का मैं रहने वाला हूं, ३ अक्तूबर की रात को एक डकैती पड़ी और वहां पर एक स्त्री का डाकुओं ने सफाया किया और कुछ माल भी लूटा। उस गांव में हमारी पार्टी के मन्त्री श्री रामपाल सिंह जी रहते थे। प्रथम सूचना रिपोर्ट तीन दिन के बाद लिखी गई। मालूम हुआ कि २१ दिन तक पुलिस ने डायरी नहीं भरी थी और उस में उन का नाम नहीं था, लेकिन उस के बाद उन की कुर्की जब्ती आ गई और उन को उस डकैती में फंसाने का प्रयत्न किया गया। चूंकि चुनाव का समय आ रहा था, इस लिये जो लोग इस सम्बन्ध में दिलचस्पी रखते थे, उन्हों ने उन को डकैती के गम्भीर अपराध में फंसाना चाहा और यही हुआ। उन को अपराधी घोषित कर के जेल भेज दिया गया। अन्त में वह बामुश्किल तमाम उच्च न्यायालय से छूटे। उसी घटना से मुझे यह प्रेरणा हुई कि अगर इस प्रकार का संशोधन कानून में हो जाये, तो फिर पुलिस अपनी विवेकशक्ति का दुरुपयोग नहीं कर सकती। इस लिये मैं चाहता हूं कि धारा १६१ में इस तरह संशोधन कर दिया जाये कि उस की एक प्रतिलिपि न्यायाधीश के पास भी जायेगी। तब फिर पुलिस को अपना कार्य करने में और जो सचमुच अपराधी हैं, उन को उचित दंड देने में बड़ी सहायता मिलेगी। मैं ज्यादा समय नहीं लेना चाहता हूं। मुझे विश्वास है कि मैं जाब्ता फौजदारी की धारा १०७, १०९ और ११० को लोप करने और धारा १६१ में संशोधन करने सम्बन्धी जो विधेयक प्रस्तुत किया है, उस पर सदन गम्भीरता के साथ विचार करेगा। मैं मंत्री महोदय से भी यह आशा करता हूं कि जब वह जवाब देंगे, तो यह दलील नहीं देंगे कि *शान्ति और व्यवस्था के नाम पर इस कानून* की आवश्यकता है। यह तर्क इतना पुराना और इतना थोथा हो चुका है कि इस की अब आवश्यकता नहीं है। यह तर्क तो ब्रिटिश लोग दिया करते थे और शान्ति और व्यवस्था के नाम पर लाठी गोली चला कर लोगों को जेलों में बन्द किया करते थे। अब उस तर्क की आवश्यकता नहीं है। हम आशा करते हैं कि यह तर्क मन्त्री महोदय नहीं देंगे। इस बात की आवश्यकता है कि जाब्ता फौजदारी में से ऐसी धाराओं को हटा दिया जाये, जिन से कि समाज में अपराध बढ़ते हैं, घटते नहीं हैं जिन से बेगुनाहों को दण्ड मिलता है और जिस से हमारा कानून बदनाम होता है। मुझे विश्वास है कि सदन उस पर बहुत ही गम्भीरता से विचार करेगा।

Mr. Deputy-Speaker: Motion moved:

> "That the Bill further to amend the Code of Criminal Procedure, 1898 be taken into consideration"

The hon. Mover has already taken only 35 minutes; still he was kind enough to say that he will not take long. May I know what time the hon. Minister will take? Will he take the same time?

The Minister of State in the Ministry of Home Affairs (Shri Datar): I shall take about 15 to 20 minutes.

Mr. Deputy-Speaker: Then, one hour is gone and we have got one hour for hon. Members. Will ten minutes each do?

Shri Narayanankutty Menon (Mukandapuram): Ten minutes each will do.

श्री सरजू पाण्डे (रसड़ा) : उपाध्यक्ष महोदय, जो बिल सदन के सामने आया है, मैं उस का समर्थन करने के लिये खड़ा हुआ हूं। मुझे याद है कि बहुत दिन पहले हमारे प्रधान मंत्री ने अपनी "मेरी कहानी" में हिन्दुस्तान की पुलिस के कैरेक्टर के बारे में लिखा था कि "हिन्दुस्तानकी पुलिस इस तरह की है कि महज शुबहे के बल पर लोगों को चालान किया करती है, ऐसी पुलिस किसी देश में नही है, जो कि हमारे देश में है।" लाजिमी तौर पर सब को इस बात का तजुर्बा है कि किस तरह से दफा १०७, १०९ और ११० का दुरुपयोग यहां की पुलिस उस वर्ग के हित में इस्तेमाल करती है, जिस वर्ग का शासन आज हमारे देश में है। जैसी आज की अदालतें हैं और जिस तरह के कानून-कायदे है, उन मे गरीबों को न्याय पाना बहुत ही मुश्किल है। लेकिन ऐसी दशा मे धारा १०७ सिर्फ इस लिये रखी जाती है कि गरीबो का शोषण किया जा सके और वे उन अमीरो और बड़े लोगो के खिलाफ न लड सकें, जो उन के हक को दबाये हुए है, या जो उन का शोषण करते हैं। मैं नही जानता कि दुनिया के किसी भी आजाद मुल्क में इस तरह का कानून है कि महज शुबहे के आधार पर कुछ लोगों को जेल में डाल दिया जाये। अभी हमारे भाई ने बहुत सी मिसालें दी है। मैं खुद उस का भुक्त-भोगी हूं। पिछले दिनों जब उत्तर प्रदेश में लाठ आन्दोलन चल रहा था, तो मैं आजमगढ़ जिले की एक इलैक्शन मीटिंग में बोलने के लिये गया और जब वहां से वापस आया, तो मुझे पुलिस ने धारा १०७ में गिरफ्तार कर लिया और यह बताया कि आप की वजह से यहां पर शान्ति-भंग की आशंका है।

16·37 hrs.

[Shri Barman in the Chair]

मैं ने कहा कि मैं इस कस्बे में नहीं हूं, मैं बोल कर जा रहा हूं, कोई ऐसी बात नहीं है, फिर मेरे आने से कैसे शांति भंग हो गई। पुलिस ने कहा कि उन्हें शुबहा है कि आगे चल कर शांति भंग हो जायेगी। अजीब कानून है। दुनिया के किसी भाग में यह देखने को नही मिलता है कि किसी अधिकारी को विश्वास हो जाये कि किसी आदमी की वजह से शांति भंग होने की आशका है, और उस को इस आधार पर जेल में डाल दिया जाये—और ऐसे लोगों को जेल में डाल दिया जाये, जिन को लोगों का विश्वास प्राप्त है, अर्थात् जो जनता के चुने हुए प्रतिनिधि है। बहुत से लोग प्रजा सोशलिस्ट पार्टी के लोग, कम्युनिस्ट पार्टी के लोग, जन सघ के लोग और दूसरे दलो के लोग सोते में गिरफ्तार किये गये हैं और कहा गया कि उन के कारण भविष्य में—आज नहीं—शांति भग होने की आशका है।

श्री रा० च० शर्मा (ग्वालियर) : अगर जाग जाते, तो उपद्रव हो जाता।

श्री सरजू पाण्डे : अगर जाग जाते तो, खतरा हो जाता, लेकिन ऐसी कोई मिसाल नहीं है कि अपराध करने से पहले अपराधी को जेल में डाल दिया जाये। मैं समझता हूं कि इस तरह का कानून किसी आजाद मुल्क में नहीं है।

हमें याद है कि जब आजादी नहीं मिली थी, तो हमारे कांग्रेस के नेता बड़ी-बड़ी बातें बनाते थे। मैं पिछले दिनों प्रिवेंटिव डिटेंशन एक्ट में गिरफ्तार हुआ था। हाई कोर्ट के सामने मैं अपना आर्ग्यूमेंट करने के लिये गया। मैं ने जज से कहा कि यह इसी कोर्ट की स्कीम है कि कोई भी आदमी किसी भी पार्टी गवर्नमेंट के खिलाफ जनता में अपनी राय दे सकता है और सरकार के खिलाफ

[श्री सरजू पांडे]

डिस-एफ़ेक्शन फैला सकता है, लेकिन यह जो सुविधा हम को प्रदान की गई है, उस का मैं फ़ायदा कैसे उठाऊं ? फ़र्ज़ कीजिये कि मैं कोई बात कहता हूं और पुलिस वाला लिख देता है कि इन्होंने कहा कि "उस को जान से मार डालो"—मैंने वह कहा हो या न कहा हो—तो बिना सबूत लिये मैं जेल में डाल दिया जाता हूं और उस की सफ़ाई नहीं होती । तो हम इस को कैसे फ़ाइट आउट करें ? कोर्ट ने कहा कि यह तो ऐसे कानून हैं, जो कि लालैस ला हैं । हमारे पास इस का कोई इलाज नहीं है । यह काम लैजिस्लेचर का है कि ऐसे कानूनों को बदलवा दे ।" मैं ने कहा कि दूसरी मिसाल यह है कि मैं कम्यूनिस्ट हूं और अगर आप मेरे साथ चाय पी लें और पन्त जी महाराज की पुलिस रिपोर्ट कर दे कि फ़लां अफ़सर ने सरजू पांडे के साथ चाय पी, तो लाजिमी तौर पर वह दूसरे दिन सर्विस से निकाल दिया जायगा, चाहे वह एक हजार कम्यूनिस्टों को डेली अपने हाथों से फांसी देता हो । मैं समझता हूं कि इस तरह की धारायें किसी कानून में होना कि आप को विश्वास हो जाये कि यह आदमी क्राइम करने वाला है और उस को आप जेल में डाल दें, मैं समझता हूं कि किसी मुल्क के लिये और कम से कम हमारे आजाद मुल्क के लिये बड़ी लज्जाजनक बात है और हमारे देश को गिराने वाली बात है । अगर कोई अपराधी है, तो उस के अपराध को साबित होने दीजिये । अगर कोई अपराध करते हैं, तो उन को जेल में डालिये । मैं कहता हूं कि यह तीनों धारायें कांस्टीट्यूशन के बिल्कुल खिलाफ हैं, यद्यपि इस कांस्टीट्यूशन में गरीब जनता को, देश के किसान मजदूरों को वह अधिकार प्राप्त नहीं है, जोकि दूसरे लोगों को हैं । इंगलैण्ड में, जिस को डेमोक्रासी की जननी कहा जाता है, कहा जाता है कि वहां पर कानून की नजरों में सब बराबर हैं, लेकिन हमारे यहां कानून बड़े लोगों के लिये कुछ हैं और छोटे लोगों के लिये कुछ और हैं । बड़ा आदमी कितना भी बड़ा अपराध करे, कितनी बड़ी हत्या करे, पुलिस किसी को १०७ में नहीं पकड़ती है—कभी भी यहां के बड़े बड़े मिल-मालिकों को जेल में नहीं डालती है कि तुम्हारी वजह से मजदूर वर्ग में शान्ति भंग की आशंका पैदा हो गई है ।

पंडित ज्वा० प्र० ज्योतिषी (सागर) : कानून नहीं रोकता है ।

श्री सरजू पाण्डे : कानून उन को नहीं रोकता है, लेकिन कानून उन का इलाज नहीं करता है । दूसरी तरफ तमाम बड़े लोगों को इस बात की इजाजत है कि वे जो चाहें करें और अगर गरीब आदमी बोले, अपने अधिकारों की बात करे, तो लाजिमी तौर पर पुलिस उन को १०७ में बन्द कर देती है, या जैसा कि मेरे मित्र ने कहा किसी के हाथ में दियासलाई की डंडी पकड़ा दी और कह दिया कि कोने में आग जला कर देख रहा था । और स्पष्ट हो गया कि यह चोरी करेगा । रास्ता चला जा रहा है । मुझे याद है इसी जगह, दिल्ली की घटना है, राम जी भाई गोरखपुर से आये थे । एक कांग्रेसी वर्कर बेचारे हैं बेचारे । वह बहुत सन्त आदमी हैं । राष्ट्रपति भवन की पुलिस ने उन्हें पकड़ लिया ९ बजे रात में । यहां एक माननीय मेम्बर के यहां ठहरे हुए थे । उन के हाथ में एक किताब थी अंग्रेजी की । पुलिस वालों ने कहा कोई बड़े पढ़े लिखे तो हो नहीं, इतनी मोटी किताब क्या करोगे ? बेचारे अपने लिये चन्दा मांग रहे थे सुप्रीम कोर्ट में अपील करने के लिये । पुलिस वालों ने कहा कि किसी एम० पी० के यहां से मालूम होता है यह किताब चुरा लाया है और राष्ट्रपति भवन के पुलिस द्वारा बन्द कर दिये गये । बड़ी मुश्किल से टैलिफ़ोन वगैरह करने के बाद रिहा किये गये । मैं समझता

हूं कि यह हंसने की बात नहीं है, लोगों को कम से कम इतना हृदयहीन तो नहीं होना चाहिये । इस मुल्क में कितनी क्राइम होती है । लेकिन सिर्फ सजा देने से वह घटती नहीं है । सिर की जगह सिर तोड दें, दात की जगह दात तोड दें, हाथ की जगह पर हाथ काट लें, लेकिन क्राइम बढ़ता ही जायेगा । कहीं कहीं अभी भी पाकेटमारी की सजा के लिये फासी दी जाती है । एक तरफ पाकेटमार को फासी दी जाती है दूसरी तरफ जो लोग फांसी को देखने के लिये जाते हैं उन मे से दो तीन की पाकेट वही पर कट जाती है । तो दड से यह चीज नहीं खत्म हो सकती । हमारे यहा के दडशास्त्रियो ने कहा है कि दड से यह चीज नही रुकेगी । आज समाज में कुछ लोगो की छाती-पर कुछ लोग बैठे हुए हैं, वे हिंसा करते हैं, लूट करते है, मारते है, मगर उन को कानून का प्रोटेक्शन नही मिलता है, मगर राज्य इस बात की इजाजत नही देता, मगर मुल्क इन अपराधो को खुद रोकने के तौर पर लाजिमी तौर पर इन कानूना का इस्तेमाल नही करता है । इस लिये मै चाहूगा कि चूकि यह धाराये १०९ और ११० हमारे सविधान के खिलाफ है, हमारे अपन फैसला के खिलाफ हैं, इसलिये इन दोना धाराओ को वापस लिया जाना चाहिय । कम से कम हम अपने देश के अन्दर इन का इस्तेमाल न करे ताकि सब लोगो को बढने, फलने और फूलने का मौका मिले । आप इस तरह से अधिकारियो को इस का प्रयोग करने से रोके ।

एक बात कह कर मै खत्म करूगा क्योकि समय ज्यादा नही है । मैं चाहूगा कि आप इस पर ठडे दिल से विचार कीजिये । अगर मुझे मौका होता तो मै आप को उस जमाने की चीजे भी बतलाता, उन को सामने लाता, जबकि बहुत ज्यादा हाई कोर्टों और सुप्रीम कोर्ट के जजो ने इन धाराओ के विरुद्ध अपनी रायें दी हैं । मुझे याद है कि एक बार बलिया में १०७ दफा के अधीन एक सज्जन को ३ वर्ष तक जेल में रक्खा गया । मैं भी उस जमाने में जेल में था । मै ने पूछा तुम्हारे मुकदमे का क्या हुआ ? कहा अभी सुनवाई नही हुई । इस १०७ दफा के अधीन रोज रोज हैरेस करेगे, परेशान करेगे । यह आप का कायदा है । इसलिये मै चाहता हू कि जब लोग आज यहा इस रेजोल्यूशन के खिलाफ बोले, जो यहा के कानूनदा है वे इन कानूनो के खिलाफ खडे हुए हैं, उन का कहना है कि कोई भी इस दफा १०९ में पकडा जा सकता है । मुझे याद है कि किस प्रकार से बडे इम्पार्टेंट लीडरा को पकड कर जेल में डाल दिया जाता रहा है ।

एक माननीय सदस्य मत्री जी भी पकडे गये हैं ।

श्री सरजू पाडे मत्री जी की बात तो मै नहीं जानता हू लेकिन मुझे याद है कि हमारे यहा बड बडे कांग्रेस के नेता भी १०९ में पकडे गय और उन मे से बहुत से आज उत्तर प्रदेश में मिनिस्टर है । इसलिये मै कहता हू कि आज मुझे इन सब चीजो का इतिहास बहुत दोहराने की जरूरत नही है, जब यह हमारे कास्टिट्यूशन के विरुद्ध है, हमारी आजादी के ऊपर रोक लगाता है, जो हम को कानूनी प्रोटेक्शन नही देता है, उस को बिल्कुल ही क्रिमिनल प्रासीजर कोड से निकाल कर यश प्राप्त कीजिये, इसी में देश का कल्याण है, जिस से कि उन तमाम लोगो को जो ऐडमिनिस्ट्रेशन की गल्तियो को जानते है, उन को कुछ कहने का मौका मिले ।

श्री मू० च० जैन (कैथल) चेयरमैन साहब, मैं इस बिल की मुखालिफत के लिये खडा हुआ हू । इसलिये नही कि पुलिस इन दफात का गलत इस्तेमाल नही करती या कि यह मै नही जानता या हाउस के कुछ मेम्बर नही जानते । इन दफात का पुलिस काफी गलत इस्तेमाल करती है, यह ठीक है, लेकिन ऐसे भी कितने सारे केसेज हैं जहा अगर यह

[श्री मू० चं० जैन]

दफा पास में न होती तो बहुत मुश्किलात पेश आतीं । लाजिमी तौर पर मूवर साहब को इन दो बातों में तमीज करनी चाहिये । कि आया इन दफात का दुरुपयोग होता है या नहीं, और अगर होता है तो इस दुरुपयोग को कैसे खत्म करें । क्या यह लाजिमी है कि हमारे सामने या पुलिस के सामने या देश की लीडरशिप के सामने बुनियादी तौर पर ऐसी दफात है जिन की जरूरत नहीं ? जोकि इस देश की जान्ता फौजदारी में नहीं रहनी चाहिये । यह सीधी दो बातें हैं । मैं ने इतनी देर के बाद भी यह नहीं सुना कि किस तरीके से इन का इस्तेमाल किया जाना चाहिये. पुलिस को क्या क्या हिदायतें देनी चाहियें और मैं मिनिस्टर साहब से इस बारे में पूछूंगा भी । लेकिन पहली बात आज यह है कि यह कहना गलत है कि इन दफात की जरूरत नहीं । यह भी कहना गलत है कि यह कान्स्टि-ट्यूशन के खिलाफ है । अगर यह कान्स्टि-ट्यूशन के खिलाफ हैं तो कितने सारे मुकदमे हर सूबे में, हर जिले में हुए हैं, किसी भी जगह किसी मैजिस्ट्रेट के हुक्म को चैलेंज किया जा सकता है हाई कोर्ट में या सुप्रीम कोर्ट में कि यह १०७ और १०९ दफात हमारे विधान के खिलाफ हैं । अगर वाकई खिलाफ हैं तो हाई कोर्ट और सुप्रीम कोर्ट यह फैसला दे सकते हैं कि यह अल्ट्रावायर्स हैं । उस के बाद यह जान्ता फौजदारी से खत्म हो जायेंगी । लेकिन अभी तक ७ या ८ बरसों से तो किसी ने चैलेन्ज नहीं किया है मेरे खयाल में ।

एक माननीय सदस्य : चैलेन्ज किया है ।

श्री मू० चं० जैन : अगर चैलेन्ज किया होता तो इस बिल के लाने की जरूरत नहीं क्योंकि अगर यह अल्ट्रावायर्स है तो उसे वैसा करार दे दिया जाता । यह अब तक अल्ट्रा-वायर्स करार नहीं दिया गया नहीं तो इस बिल को लाने की कोई जरूरत नहीं थी । जहां तक इस के कान्स्टिट्यूशन के खिलाफ होने की बात है, इस तर्क में कोई वजन नहीं है ।

अगली चीज यह कि साहब, यह क्या बात है कि अभी किसी ने जुर्म नहीं किया है लेकिन उसे पकड़ लिया जाय ? मैं उन से कहूंगा कि ऐसे कई केसेज हैं जिनमें पहले से पकड़ना जरूरी था । मैं जानता हूं कि पुलिस इस का काफी गलत इस्तेमाल करती है, इस में कोई शक नहीं, लेकिन ऐसे केसेज भी हैं जहां पुलिस इन को जायज तौर पर इस्तेमाल करती है और इस से गरीब आदमियों को बहुत मदद मिली है । अगर यह हथियार पुलिस के पास न होता तो उस गरीब आदमी की रक्षा नहीं थी । इसलिये इन का जान्ता फौजदारी में होना निहायत लाजिमी है और इस को जान्ता फौजदारी में से निकालना नहीं चाहिये । मिसाल के तौर पर आप दफा १०७ को लीजिये । इस में खुद यह बात लिखी है .

"Whenever a Presidency Magistrate, District Magistrate, Sub-Divisional Magistrate or Magistrate of the first class is informed that any person is likely to commit a breach of the peace or disturb the public tranquility or to do any act that may probably occasion a breach of the peace"

कोई खिलाफ कानून काम करने वाला है या जिसके किसी भी काम से नुक्से अमन का अन्देशा हो, मैं नहीं समझता कि उसे नुक्से अमन कर लेने देना चाहिये, उसे पहले खिलाफ कानून काम कर लेने देना चाहिये, तब उसे गिरफ्तार किया जाय, तब उसके खिलाफ एक्शन लिया जाय । मैं कहता हूं कि दवा से ज्यादा अच्छा इलाज होता है । और उसे काम करने का मौका दिये हुए ज्यादा अच्छा होगा अगर उसे गिरफ्तार कर लिया जाय ।

इसी तरीके से ११० की बात है। जहा तक दफा ११० का ताल्लुक है, उसमें लिखा हुआ है :

"Whenever . . .receives information that any person within the local limits of his jurisdiction—

(a) is by habit a robber, house-breaker, thief or forger, ..."

इतनी सारी चीजें दी हुई है। जब कोई आदतन मुजरिम है, उसके खिलाफ पाच या सात शिकायतें मौजूद हो, उसके खिलाफ क्यों न ऐक्शन लिया जाय ? इसका एक फायदा है कि अगर पुलिस के पास यह चीज है कि किसी आदमी की ११० में सजा हुई है और इस तरह के १०० आदमी हो तो उन को पहले ही पकड लिया जा सकता है। मुख्तलिफ सूबो मे अलग अलग चीजें होती है एक रजिस्टर में उन १०० आदमियो का नाम दर्ज है जब भी किसी इलाके मे कोई खास वारदात होती है तो पुलिस के पास एक बहुत जल्दी की चीज होती है कि जो इलाके के बदमाश हो उन्हें पकड कर तहकीकात कर ली जाय। कई दफा वारदातो का पता उन्ही आदमियो से चल जाता है। अगर यह रजिस्टर ही न रहे, अगर यह दफा ही न रहे, तो पुलिस किस तरीके से मालूम करेगी वारदात के बारे मे ? फिर मान लीजिये कि किसी एक गाव में एक चोरी हो जाती है, तो क्या सारे गाव के आदमियों की पकड़ कर बिठा लिया जाय ? कोई वारदात हो गई तो उस इलाके के दस बीस आदमियों को ले लिया, उनसे पूछताछ की और ७०, ८० फी सदी उन्ही लोगो में से चोरी निकलती है और काम चल जाता है। इसलिये कहना कि इन दफात के होने की जरूरत नहीं है हमारे क्रिमिनल प्रोसीजर कोड में, मैं इस को किसी तरह से तस्लीम नहीं कर सकता।

अब मैं मिनिस्टर साहब से एक सवाल पूछना चाहता हूं और मैं समझता हू कि वह जवाब देंगे। हमारी आजादी से पहले जो हमारी पुलिस स्टेट थी, पुलिस स्टेट के बाद हमने उसको सोशल वेलफेअर स्टेट बनाने का इरादा किया है, यह हमारा आदर्श है, और इस काम में हम लगे हुए हैं यह हमारा दावा है, तो क्या कोई हिदायतें जारी हुई हैं होम मिनिस्ट्री की तरफ से स्टेट गवर्नमेंट्स को कि पुलिस को इन दफात का इस तरीके से इस्तैमाल करना चाहिये, और जो पहले तरीके थे उन तरीको से इस्तैमाल नही करना चाहिये। इसके लिये हमारे मिनिस्टर साहब यह कह सकते है कि यह मामला तो स्टेट लेविल पर उठाना चाहिये क्योंकि यह स्टेट्स सब-जैक्ट है और इसलिये वहा ही इसके वास्ते एजिटेट करना चाहिये। लेकिन मैं मन्त्री महोदय से दरख्वास्त करूगा कि जब हमारी सारी गवर्नमेंट की यह पालिसी है, हमारे देश की यह पालिसी है कि हम अपने देश में एक वैलफेयर स्टेट बनाना चाहते है तो यह जरूरी हो जाता है कि पुलिस इन दफात और इन कवानीन का, जिस तरह से कि वह पहले इस्तैमाल करती थी, अब उस तरीके से उनको इस्तैमाल मे न लाये। पुलिस द्वारा इन कानूनो का गलत तौर पर इस्तैमाल होता था। इन दफाओ का सियासी आदमियों पर इस्तैमाल होता था जिसको कि मै बिल्कुल गलत इस्तैमाल मानता हू। किसी भी पार्टी के कार्यकर्ताओ के विरुद्ध मसलन सोशलिस्ट पार्टी वालो के या और किन्ही राजनैतिक पार्टीज के कार्यकर्ताओ के विरुद्ध यह दफा १०७, १०९ और ११० का इस्तैमाल किया जाना बराबर गलत है और यह उन कानूनों का दुरुपयोग है। जरूरत आज इस बात की है कि आप इस दुरुपयोग को खत्म करें न कि इस कानून को ही आप खत्म कर दे। मेरा अपना मत है कि यह दफाए और कानून तो होने चाहिये और इनको कानूनी किताब में रहना चाहिये लेकिन पुलिस और सम्बद्ध अधिकारियों द्वारा इन अधाओं का जो गलत

[श्री मू० च० जैन]

और नामुनासिब इस्तैमाल होता है उसको रोकने की कोशिश की जाय और उसके लिए जरूरी कदम उठाये जायें। अब ऐसा पुलिस अधिकारी किस कारण से करते हैं, कुछ उनके पुराने संस्कार इस किस्म के हैं जिनके कि कारण वे ऐसा करते है, इसका तो आप स्वय फैसला करे लेकिन मैं यह चाहूगा कि जिस तरह से पिछले जमाने मे इन दफाओ का दुरुपयोग होता चला आया है वह अब जारी नही रहना चाहिये।

इन दफाओ के दुरुपयोग के बारे में मै कुछ अपने जाती अनुभव पर प्राप्त मिसालें देना चाहता हू कि किस तरह से इनके मातहत गरीबो को कुचला जाता है। मिसाल के तौर पर एक खेत पर टेनेंट काबिज है, टेनेन्ट का खेत पर कब्जा है, पटवारी के कागजात में भी लिखा हुआ है लेकिन मालिक जमीन उससे जबर्दस्ती कब्जा लेना चाहता है और पुलिस को चाहिये तो यह कि जो जबर्दस्ती कब्जा लेना चाहता है उसे १०७ में पकडे, पुलिस उस गरीब मुजारे को भी १०७ में धर लेती है। पुलिस दोनो को गिरफ्तार करती है लेकिन होता यह है कि टेनेंट के तो १५ आदमी गिरफ्तार कर लेती है लेकिन मालिक जमीन के एक दो नौकरो वगैरह को गिरफ्तार करती है। मै मत्री महोदय से रिक्वैस्ट करूगा कि वह हर एक स्टेट से फेहरिस्त मगाये तो वे यह देख कर हैरान रह जायेगे कि इस तरह के जमीन मालिको और टेनेन्ट्स के बीच कितने सारे मुकदमे चल रहे हैं और उनमे टेनेन्ट्स को किस तरह इस १०७ के मातहत रगडा जाता है, हैरेस किया जाता है और परेशान किया जाता है। उन बेचारों को किस तरह उनके गावो से सुनवाई के लिये हैडक्वार्टर पर बुलवाया जाता है, दिन दिन भर वे वहा बैठे रहते हैं और शाम को कह दिया जाता है कि उनकी तारीख पड गयी है। मजिस्ट्रेट्स उन पर इस कदर मेहरबान होते हैं कि उनकी १०, १० और १५, १५ पेशियां लगवा देते हैं और उनका हैडक्वार्टर पर आने जाने में ही कचूमर निकल जाता है, हैडक्वार्टर आने में जो उन पर खर्चा पड़ता है सो तो अलग और खेत पर जो वे मजदूरी करते हैं उसका हर्जा जो होता है वह अलग और यह सब अफसरान की मेहरबानी के कारण होता है। दफा १०७ को रहना चाहिए लेकिन आज बदले हुए हालात में, इस वेलफेयर स्टेट में और इस सोशलिस्टिक पैट्रन आफ सोसाइटी के ढाचे में दफा १०७ गरीबो की मदद के लिये होनी चाहिये न कि उनको सताने के लिये।

मै एक ऐसा वर्कर होने का दवा करता हू जो कि अब तक देहातो में काम करता रहा है और आगे भी करता रहूगा और एक वर्कर के अलावा एक वकील की हैसियत से भी मुझे जो जाती तजुर्बा हुआ है वह यह है कि पुलिस दफा १०७ और १०९ वगैरह का इस्तैमाल गरीबो को रगडने के लिये करती हैं और इसका इस्तैमाल जहा होता है वहा ९० फीसदी अमीर के हक में इस्तैमाल होता है। आप इन दफाओ का गलत इस्तैमाल रोकने के ख्याल से चाहे आई० जीज० की मीटिंग करें या स्टेट्स के पुलिस मिनिस्टर्स की एक कान्फ्रेंस बुलाये और उसमें कोई पुलिस के लिए नया कोड आफ कडक्ट निकालें ताकि हर एक पुलिस थाने में यह हिदायत हो कि अगर किसी भी पुलिस सब इस्पैक्टर ने उसके खिलाफ अमल किया, बदउनवानी से काम लिया और इन दफाओ का बेजा इस्तैमाल किया तो उसके खिलाफ सख्त कार्यवाही की जायगी। अगर इस तरह की कोई व्यवस्था की जाय तो मै समझता हू कि हमारे अफसरान में इस बात का अहसास पैदा होगा कि कानून ने जो उन्हें अख्तयारात दिये हैं उनका यदि वे गलत इस्तैमाल करेंगे तो उनके खिलाफ सख्त कार्यवाही की जायगी। इस तरह का इन्तजाम करने से ही इस देश में रूल आफ ला कायम हो सकता है वरना पुलिस इस किस्म के कानूनो से रूल आफ

का कायम करने के बजाय मिसरूल करने वाली है। अब वह मिनिस्टर साहब का काम है कि वह इसको ठीक करने के लिये उनके पास कैसी हिदायतें भेजें, कोई नया कोड आफ कंडक्ट उनके वास्ते बनायें। मैंने तो आज जो गरीब लोगों के साथ सलूक हो रहा है और उनको परेशान किया जा रहा है वह बयान कर दिया।

Shri Narayanankutty Menon: Mr. Chairman, Sir, it may be taken for granted that the hon. the Home Minister is not going to accept the Bill. But apart from all considerations I wish to place before him two aspects of the Bill, one concerning the preventive sections and the other concerning section 161.

It may be argued quite rightly by him that there is a necessity for these preventive sections to be retained in the Code And I also agree with him that in some form or another certain preventive sections should be incorporated in the procedural law, so that when necessity arises, as might be usual, socially undesirable elements will have to be dealt with for prevention of a breach of the peace, and therefore, broadly it might be necessary that these sections, not in the present form, but in some other form be retained in the statute

But what I wish to tell the hon. Minister is, let him impartially examine, apart from all political considerations, the sum total and the result of the working of sections 107 to 110, and whether in a large majority of cases the Government could themselves be convinced that a large amount of misuse had been there and that it is going on I am not for a moment suggesting that this misuse could be properly prevented by means of a control directly from the Government, and misuse and the likelihood of misuse is so inherent in the nature of these sections. If these sections are retained in the present form, it is impossible sometimes to control it also.

For example, even though the authority to take action is an executive magistrate, the subjective satisfaction as to whether a person is going to commit an offence and is to be bound over is left entirely at the disposal of the police officer concerned Because, at the time of deciding the whole case the magistrate has not got any other material with him expect a broad report prepared by the police officer, unsupported by any evidence The only document accepted as evidence in law is an affidavit filed by the police officer and the magistrate is bound to take action on the basis of that affidavit which is unchallenged and untested either by cross-examination or in any other way

Therefore, it is quite likely that if the present procedure which extends to section 117 is retained there is likelihood of misuse of these sections, and misuse is really happening I was closely following the speech of my hon friend Shri Jain Whenever there is a strike you will find the police resorting to these sections in order that the workers are bound over We will be very glad if the hon. Minister can point out a single instance in the last twelve years where section 107 has been used against an employer who has violated the law relating to workers or who has indulged in blackmarketing The hon the Food Minister was telling the House today that even though the price of sugar was soaring and action could have been taken, the Government was helpless and they could not take action. I would like the hon. Home Minister to point out any case where the workers are not bound over and this section has been used against the employer.

In a still large number of cases, as far as agricultural labour and tenants are concerned, this section has been used in disputes between agricultural labour, the tenants and the landlords, and invariably the police use the section against the workers and the peasants and agricultural labour, and against the other side it is not used.

[Shri Narayanankutty Menon]

My only submission is, first of all, misuse will have to be prevented by the Government, and, secondly, in their present form it is impossible to prevent their complete misuse. These sections and the procedured sections which follow up to section 117 will have to be suitably amended, so that the magistrate will have before him material evidence just like an ordinary cognizable offence case and he can come to an objective satisfaction about the likelihood of the person concerned committing on offence

I earnestly desire that the hon Home Minister and the Government will spend some time over this question and, in order to prevent the possible misuse the likelihood which nobody can deny that it is being misused at least on some occasions, come forward with suitable amendments as far as sections 107 and 117 are concerned

17 hrs.

Coming to section 161, the hon Minister will have to agree that it is possible to have a large amount of misuse by the police especially after the amendment of the Criminal Procedure Code in 1956 Till the Code was amended in 1956, a statement recorded by the police could be used only for the purpose of contradiction whereas now it can be used as evidence even for the purpose of corroboration in cases where the witness turns hostile in the sessions court

Shri Datar: Not for corroboration, only for contradiction

Shri Narayanankutty Menon: I may submit, Sir, that in case where the witness after having given evidence in the lower court turns hostile in the sessions court, this can be used as corroborative evidence The police diary could be used as evidence It was under the old Code that it could be used only for contradiction In that case it is a piece of material evidence which the accused gets It is the most important material evidence, because that is the first picture of the whole story as disclosed to the police Invariably in many cases you will find that if the case diary could be kept under the complete disposal of the police till the filing of charge-sheet there is liklihood of its misuse As far as that provision is concerned, the amendment introduced by my hon friend is innocuous. It will not be possible for the hon. Minister to object to that, because the new procedure suggested is that as soon as the case diary is written just like other papers that are sent to the Magistrate let the police send a copy of the case diary also As there is a condition precedent in the Police Manual that a copy of the case diary will have to be simultaneously forwarded both for the District Superintendent of Police and the Senior Investigating Officer, let a copy of the case diary be sent to the judicial Magistrate also, so that later on the police will not be able to fabricate things This is the most valuable document, Sir, as far as the accused is concerned, more important in sessions cases where the accused stands charged with capital offences and it is therefore necessary that the accused be given protection and the authenticity of this document should be preserved by sending a copy at the earliest stage to the Magistrate I cannot find any reason why the Government should disagree with this simple procedure of sending a simultaneous carbon copy, to the magistrate when they are sending a copy to the District Superintendent of Police and the Senior Investigating Officer, so that the Magistrate can keep it and the authenticity of the document can be safeguarded

Therefore, my earnest appeal is that the Government should accept this amendment, because the principle involved has already been accepted by the Government, that once a case diary is recorded, once an evidence has been recorded, it should not be tampered with If that is the intention of the original section, if that is the

intention of the Government, certainly this amendment could be accepted, whereby a copy of the case diary should be sent to the magistrate and more guarantee is given to the authenticity of the document. Any possible misuse of the provision, so far as the police is concerned, can be totally prevented, and the whole section made fool-proof.

Shri Tangamani (Madurai): Mr. Chairman, Sir, enough has been said about the way section 107 has been misused in the past. I shall briefly refer to certain objections raised by one of the speakers, who said that all these sections will have to be retained if there is to be prevention of offences.

Sir, the whole chapter, Chapter VIII, which deals with prevention of offences, namely, security for keeping peace and for good behaviour, requires a radical transformation. I shall briefly show how the very wording of the various sections, which have been referred to by my hon. friend who moved this Bill, is likely to be abused. Section 107(i) says:

> "Whenever a Presidency Magistrate, District Magistrate, Subdivisional Magistrate or Magistrate of the first class is informed that any person is likely to commit a breach of the peace or disturb the public tranquillity or to do any wrongful act that may probably occasion a breach of the peace, or disturb the public tranquillity, the Magistrate if in his opinion there is sufficient ground for proceeding may, in manner hereinafter provided, require such person to show cause...."

It is so wide and so general. As against this, the corresponding provision in the English law is as follows:

> "If a person has just cause to fear that another person will do him some bodily harm, as by killing him or his wife or his child, he may demand surety and the peace against such person and it is the duty of the Justice of the Peace to bind over such person. If the applicant proves on oath that he is actually under such fear and has just cause to be so".

So it was meant only to prevent the commission of certain serious offences on the basis of complaints by those people who are likely to be attacked. But here, as many hon. friends have pointed out, section 107 has been used in cases where there is likely to be breach of the peace according to the magistrate.

Some instances also were mentioned such as the one in September, 1958 when there was a food agitation in Uttar Pradesh and when as many as 10,000 people were arrested and my friends tell me that a thousand people were arrested under section 107 including one of the Members of Parliament here. I will be happy to know from the hon. Minister how many were actually arrested under section 107. If, for such an agitation, section 107 is used, then will it not amount to an indiscriminate use of this section?

If we come to section 109 (b), the words are:

> "that there is within such limits a person who has no ostensible means of sub-istence."

Can you have a phrase much wider than "has no ostensible means of subsistence" in a country where *Daridranarayans* are worshipped? In that case, a police officer can arrest a person for having no ostensible means of subsistence. That phrase may be the easiest way by which they can take action. So, this kind of test which might have been all right when they conceived of such a thing can no longer apply, and it is like to be abused.

Also, this section is mainly to prevent vagabondism and in the name of preventing vagabondism any person who is found, according to the police officer, without any means of subsistence can be arrested and detained under this section.

[Shri Tangamani]

If you take section 110, there is one more aspect. My hon. friend referred to habitual offenders—an offender who is by habit a robber, house-breaker, thief or forger. But what he has forgotten to mention is sub-section (f) which says:

> "is so desperate and dangerous as to render his being at large without security hazardous to community"

So, who is to define that a particular person is a desperate person? A person who is opposing a certain proposal of the Government may be a desperate person A person who is going to take a particular attitude to a certain thing may be a desperate person So, these phrases such as "a person without ostensible means", "if he is satisfied that there is likely to be a breach of the peace" are all phrases much wider than the mark and unless a radical change and a radical modification of these preventive sections are resorted to, there is likely to be a further abuse of these provisions

I would like to say one more thing My hon friend has referred to three sections Section 108, according to him, is an obnoxious section That section says:

> "a person who disseminates seditious matters, a person who causes some disaffection amongst the communities, etc"

There are the persons who are to be brought under this section 108. There are enough sections in the Indian Penal Code for bringing to book all these persons. So, in the name of prevention of offences, we cannot resort to such measures. I do admit that we have got to have provisions for prevention of offences, but, if we start from section 151, and then take up sections 106 to 125, we will find that there is a series of sections which give wide powers to the police officers. Therefore, the intention of my hon. friend is to see that these wide powers given to these police officers are curbed. Flowing from this is the question of investigation: Section 154 deals with what is known as the first information report The first information report will have to be submitted to the district police officer and also to the magistrate concerned. Whenever there is a cognizable offence, certainly the magistrate gives him proper direction and the police officers also decide as to whom a particular case should be referred There is a check and cross-check

In the same way, when investigations do take place, as the hon. Minister knows, to this day probably the one person who is not trusted by the courts is the Inspector-General of Police If I make a statement to anybody, that can be used But a statement I have made to the Inspector-General of Police in the course of an investigation cannot be used in a court of law What does it show? There is a certain pressure exercised by these police officers, not that all the police officers are bad, but in the nature of things, a certain pressure is exercised and a check and countercheck are necessary That purpose is sought to be served by this amendment. I must say that this amendment is a very wholesome provision. Unless this is done, the intention of those who wanted to amend section 162 in 1956 will not be served

What exactly does the Bill seek to do? It says:

> "A copy of the police diary, the information recorded under sections 154 and 155 of this Act and the statements recorded under sub-section (3) of this section, shall be sent to the District Judge having jurisdiction over the area, within 24 hours of any entry being made in the police diary or any information or statement being recorded, excluding the time taken for the despatch...." etc.

We do give him time also to send those records. The only purpose is to see that there is no chance given for manipulating and altering these valuable records. I hope the Hon. Minister will see his way to accepting this amendment or at least the spirit of it. If he is not going to accept this amending Bill, at least let him bring forward a suitable amendment to the Criminal Procedure Code.

Shri Naldurgkar (Osmanabad): Mr. Chairman, much criticism has been levelled against the police in respect of the implementation of sections 107, 108 and other sections of the Criminal Procedure Code. I respectfully submit that all these criticisms are baseless and unjustified.

Shri Narayanankutty Menon: All of them?

Shri Naldurgkar: Yes; I will deal with them. All the sections to which I will refer are preventive. There is a maxim that prevention is better than cure. I may say that prevention of crime is better than to see the commission of crime. So, without waiting for a certain offence to be committed, it is better that that offence is prevented.

There has been so much argument that these sections are sometimes misused. I am afraid those arguments are quite against the wording of these sections. Under section 107, the magistrate is not to act only on any report that is received by him. But there are these words of "in his opinion there is sufficient cause for proceeding". The report is to be received by a magistrate. It is not incumbent under section 107 that only police have to submit that report for taking any action under this section. Any person—he may be from the public also—can submit a report that there are such and such facts that are mentioned in section 107. Section 107 is preventive in nature. Suppose a person is likely to commit a breach of peace or disturb the public tranquillity, then this section is meant to prevent the occurrence of such acts. This prevents a person from committing those acts. Then section 109 has been enacted which enables the precautions to be taken in advance for suspected persons. Section 110 relates to habitual offenders.

So, when such report is received by the magistrate, after that he scrutinises the report. Thereafter he satisfies himself whether to proceed or not. The moment the report is submitted the magistrate does not proceed. There is a procedure under section 112. When such a report is received the magistrate has to satisfy himself that action is necessary. If the magistrate is not satisfied, he will dismiss the report and will not proceed. If he thinks that there are proper grounds to proceed in order to prevent a breach of the peace or other acts that have been mentioned in sections 107 to 110, then he will proceed under section 112. Then he shall send a summons. For that summons the report is the basis. Then the report is annexed with the summons and the party is given a chance to show cause why he should not be bound, and what are the causes of making such report against him. After his written statement is received, if the magistrate is satisfied that there are no reasonable grounds to proceed further, then the magistrate is given discretion to release him or to dismiss all the proceedings. But if the magistrate thinks, to proceed with application of section 112, then that report will be explained to him, or if he is in the court, then instantly that report will be explained to him and he will be ordered to show cause why action should not be taken against him and why he should not be asked to furnish a security for keeping peace and tranquillity. After that a chance is given to both the parties to adduce evidence. Even the person making the report can adduce evidence and the other party can refute all the charges. Thus, even the defendant is given a chance to adduce

evidence. After considering the evidence of both parties the magistrate can take action under sections 117 and 118 of the Cr. P. C. If the magistrate thinks that the report is baseless then he has the discretion to release the accused.

Therefore, all these security measures that are taken from sections 106 to 119 are all preventive measures and any action taken under Chapter IV is considered to be a summons case, and the procedure followed there is of summons cases Therefore, I do not know why so much criticism has been levelled against the police department that police misuse these sections. These sections have been enacted in order to have public tranquility, peaceful life to the citizen That is a right of the citizen. Every citizen has a right in society to pass his life peacefully And if any person disturbs the peace and tranquility, he has also the right to move the court so that such person could be taken to task. From my own previous experience I can say that some years ago I have myself submitted an application before a magistrate The magistrate was requested to take action under section 107 But he declined, there was criminal trespass After that, there were four murders over that controversy regarding possession of the property. This is my professional experience in two or three matters. If, on the same day, the magistrate had taken action and prevented the other party from entering on the land, those four lives would have been saved and those persons would have been still alive to see the independence of India Unfortunately, some incident occurred Therefore, the allegation or the argument that is advanced in this case that all these sections are mis-used are quite incorrect.

In this case, if the discretion had been given to the police to do anything, I admit, perhaps, there would have been misuse of these sections. When the judiciary is given the power to proceed or not on the basis of the information given to it, what is the objection? The magistrate, no doubt, is vested with power to take precautionary measures in this matter and proceed. After all, there are sections 112, 117, and 118 to give full scope, full liberty and to give full chance to the other party to adduce evidence and refute all the allegations.

Shri Narayanankutty Menon: If the hon. Member could give one instance where, not on the petition of a private party, alone but when the petition is supported by an affidavit of a police officer, any magistrate in India has refused to give a warrant we will be satisfied If he could give one instance, that would be enough.

Shri Naldurgkar: What should be the grounds for satisfaction of the magistrate is immaterial The section says, when in his opinion there is sufficient ground for proceeding That may be with affidavit or without affidavit That is in the discretion of the magistrate Therefore, you cannot charge or dismiss the magistrate that he was misusing the sections, because the magistrate is not bound to take any evidence He can proceed even on a letter of a certain person If I send a certain letter by postal delivery to a magistrate and if the magistrate thinks fit, he will proceed

Shri Braj Raj Singh (Firozabad) Hence the omission of these sections.

Shri Naldurgkar: Why?

Shri Braj Raj Singh: Hence.

Shri Naldurgkar: I have stated, I am one of the factors of society I am one of elements of this democratic republic. I have got a right that I should pass my nights peacefully, that I should sleep peacefully and I should go wherever I want to go peacefully and my peace should not be disturbed by any unsocial elements or mis-

creants. With that idea I can say that the omission of these sections will do no good to the society and that it would result in the increasing of murders and other serious matters. Therefore, I oppose this Bill. There is no necessity of omitting these sections.

As far as section 161 is concerned, I think there is no necessity for the present amendment. Under section 162, when the police submit the challan into the court, the accused are given full copies After the challan is submitted and before the trial begins, under section 162, all copies, including copies of documentary evidence, including statements recorded by the police during investigation are given to the accused Unless those copies are given, no trial is proceeded with Therefore, when the accused have a chance to get all statements of persons recorded under section 161, I think there is no mis-use of that section also

On all these grounds I can say that there are no sufficient grounds for the omission of these sections Therefore, I oppose the motion and appeal to the House that this motion should be rejected

श्री प्र० ना० सिंह (चन्दौली) : श्रीमन्, दफा १०७, दफा १०९ और दफा ११० जाब्ता फौजदारी की सबसे ज्यादा प्रतिक्रियावादी दफायें हैं। इसी के साथ साथ यह दफायें हमें मिले हुए मूलाधिकारों पर भी कुठाराघात करती हैं, चोट पहुचाती हैं। इन दफाओं के चलते हुए हर दिन हजारों लोग इस देश के अन्दर मनमाने तरीके से परेशान किये जाते हैं। इसलिये दफा १०७, दफा १०९ और दफा ११० का फौजदारी विधान से निकाला जाना बहुत ही आवश्यक बात है, जरूरी है। इस सम्बन्ध में मैं इतना कहना चाहता हूं कि बहुत वकालतें इस बात की गई कि ला आर्डर के नाम पर इन दफाओं का रहना बहुत जरूरी है। लेकिन जिस तरीके से इन दफाओं का प्रयोग हो रहा है, जिस तरीके से इन दफाओं के इस्तैमाल करने के सिलसिले में सरकारें मनमाने तरीके से बरताव कर रही हैं और इन दफाओं का नाजायज इस्तैमाल करती हैं, उस को देखते हुए इन दफाओं का जाब्ता फौजदारी से निकाला जाना बहुत आवश्यक है।

अभी अभी हमारे एक माननीय सदस्य ने कहा था कि पिछली बार जब खाद्य आन्दोलन उत्तर प्रदेश में चला था तो उस मौके पर हजारो लोगों की गिरफ्तारी दफा १०७ और दफा ११७ में हुई थी। मैं स्वत. उस सरकार का, जो कि रूलिंग पार्टी है, शिकार रहा। दफा १०७ के मामले में दो बार मुझे गिरफ्तार होना पडा। रात के वक्त ३ बजे, ४ बजे, जब मैं अपने मकान पर सो रहा था, उस मौके पर दफा १०७ और ११७ में उत्तर प्रदेश की सरकार ने मेरे ऐसे आदमी को गिरफ्तार किया। एक ऐसे आदमी को गिरफ्तार किया जो उस स्टेट के मौजूदा गृह मत्री श्री कमलापति त्रिपाठी का विधान सभा के चुनाव के सम्बन्ध में प्रतिद्वन्दी था। ऐसे आदमी को दो मर्तबा दफा १०७ और ११७ में गिरफ्तार किया गया। मैं एक घटना और इस सदन के सामने रखना चाहता हू। १० मई, १९५७ को उत्तर प्रदेश की सोशलिस्ट पार्टी ने "अग्रेजी हटाओ" आन्दोलन और उसी के साथ साथ "उत्तर प्रदेश मे विदेशी मूर्तियो को खत्म करो" आन्दोलन उसी महीने में शुरू किया था, और उस सम्बन्ध में १५ और १६ मई को जो चकिया तहसील है बनारस के जिले में, जो कि उत्तर प्रदेश के होम मिनिस्टर का निर्वाचन क्षेत्र है विधान सभा का, मेरा भी वही निर्वाचन क्षेत्र है, उसमें मेरी सभायें हुई थी। चकिया तहसील में श्री कमलापति त्रिपाठी की भी सभायें हुई थी। जिस दिन मालूम हुआ अधिकारियों को कि यह सभायें रक्खी गई हैं, उसी दिन १५ तारीख को उन्होंने मुझे दफा १०७ और दफा ११७ में गिरफ्तार करना चाहा, लेकिन चूकि मैं उस क्षेत्र में चला गया था, उस क्षेत्र की जनता

[श्री प्र० ना० सिंह]

जो है वह हमारे लोगों के साथ है और शायद गिरफ्तारी होने पर हजारों लोग अपने को गिरफ्तार कराने के लिये पहुंचना श्रेयस्कर समझते, इसलिये चकिया तहसील में मैं गिरफ्तार नहीं हुआ । लेकिन मेरी और गृह मंत्री जी की सभायें आमने सामने हुई चकिया तहसील में, और मेरी सभायें होने के बाद उन की सभायें हुईं, यह दूसरी बात है कि मेरी सभाओं में ज्यादा लोग आये थे । १६ मई की रात को मैं भी बनारस आता हूं कार से और वह भी सरकारी गाड़ी से बनारस आते हैं । १७ मई को देखता हूं कि पुलिस मौजूद है, डी० एस० पी० मौजूद है । यह कहलाया गया कि तुम्हारी गिरफ्तारी १०७ में की जाती है । उस सरकार ने जो कुछ किया उसे न्यायालय ने माना कि जिस तरीके से मेरी गिरफ्तारी हुई है वह गलत है । लेकिन खाद्य आन्दोलन के सिलसिले में जो कि सितम्बर, १९५८ में चला १२ सितम्बर को सारे प्रदेश में हड़ताल होने वाली थी सरकार के खिलाफ । खाद्य की कीमत बहुत जोरो के साथ बढ़ती चली जा रही थी और उस खाद्य नीति के खिलाफ विरोध प्रदर्शित करने के लिये उत्तर प्रदेश के विरोधी दलो ने उत्तर प्रदेश के अन्दर आम हड़ताल की घोषणा की थी । सरकारी नीति के खिलाफ १२ तारीख को हडताल होनेवाली थी, ११ तारीख की रात में ३०० लोगों को मकान से गिरफ्तार किया गया । आप को देख कर आश्चर्य होगा कि सितम्बर, १९५८ में जो खाद्य नीति चल रही थी उस समय दफा १०७ में मुझे गिरफ्तार किया गया । लेकिन आज भी, जब कि उस खाद्य आन्दोलन को बीते साल हो गया, मेरे मुकदमे का फैसला नही हुआ है । मैं गृह मंत्री जी से पूछना चाहता हूं जो कि इस सदन में मौजूद हैं, कि साल भर बीतने के बाद भी दफा १०७ और ११७ में मुझ से जमानत और मुचलका मांगा गया । वह अभी भी अदालत में चल रहा है । जब उस खाद्य आन्दोलन को साल भर बीत गये तो अब कोई मुझसे अमन का खतरा नहीं है, लेकिन फिर भी मेरे ऐसे आदमी से जमानत और मुचलका मैजिस्ट्रेट द्वारा मांगा जा रहा है और इस प्रकार बाकायदा उन्होंने १०७ और ११७ के मुकदमे में मुझे बाइंड डाउन कर दिया है । और सेशन कोर्ट में उसकी अपील पेंडिंग है । मैं श्री दातार से पूछना चाहता हूं कि क्या वे दफा १०७ और ११७ का इस्तेमाल राजनैतिक आंदोलनों को जो कि शान्तिपूर्ण हों, उनको दबाने के लिए करना चाहते हैं ? जब जनता के दो दलो में झगड़ा हो और जो कि दफा १०७ की मंशा है तो उसमें तो इस दफा के इस्तेमाल की बात समझ में आती है लेकिन जब सरकार से जनता का झगड़ा हो, जब सरकार की नीतियो से विरोधी दलों का झगड़ा हो और जब सरकारी नीतियों के विरोध में विरोधी दल वाले और अपनी मांगों के सिलसिले में शान्तिमय प्रदर्शन कर रहे हों, शान्तिमय सभाएं कर रहे हों तब १०७ और ११७ का खुले तौर पर इस्तेमाल, और हजारों की तादाद में इस १०७ और ११७ का इस्तेमाल किया जाना समझ में नही आता । जब ऐसी हालत हो तो कुछ लोगो का यह कहना कि दफा १०७, १०९ और ११७ के द्वारा अन्याय नहीं होता, कोई मायने नही रखता है । अब किसी गवर्नमेंट के खिलाफ शान्तिमय तरीके से आन्दोलन चलाना और उसके विरुद्ध जनमत तैयार करना और उस सरकार को शान्तिमय तरीके से बदलने के लिए शान्तिपूर्ण सभाएं और प्रदर्शन आदि आयोजित करना, इन बातों का उस संविधान ने जिसको कि हमने अपनाया है, पूरा हक देता है लेकिन हमारे यह रोज देखने में आता है कि संविधान में दिये गये अधिकारों का उपयोग जनता को नही करने दिया जाता है और राजनैतिक दलों पर दफा १०७ और ११७ का इस्तेमाल किया जाता है और इस तरह उनके अधिकारो का हनन किया जा रहा है । आप सोशलिस्ट

पार्टी, कम्युनिस्ट पार्टी और अन्य विरोधी राजनैतिक पार्टियों को गैर-कानूनी तो नहीं करार देते हैं लेकिन आप इन पार्टियों के सदस्यों को दफा १०७ में गिरफ्तार कर लेते हैं और ऐसा करके आप उनको बोलने की आजादी को छीनते हैं, उनके लिखने की आजादी को छीनते हैं और उनकी सभाएं करने की आजादी को छीनते हैं । उनके जो मौलिक अधिकार हैं व्यक्ति स्वातंत्र्य के, उन अधिकारों को आप छीनते हैं । आज यह अधिकार इसलिए छीने जाते हैं क्योंकि न्यायालयों में आज स्टीन ही डिस्कस कर सकते हैं । अगर हम इस बात की चुनौती दे सकते कि हमारी गिरफ्तारी सही है या जायज है और जिन कारणों से हुई है वह कारण सही है या गलत तो शायद इस तरीके से दफा १०७ का इस्तेमाल नहीं कर पाते । दफा १०७ के चलते हुए इस माननीय सदन के सदस्य दफा १०७ में बाउंड हैं । अब चूंकि हम लोग मौजूदा उत्तर प्रदेश की सरकार के विरुद्ध हैं और उस की नीतियों का विरोध कर के उस की जगह पर हम नई नीतियां लाना चाहते हैं तो मैं पूछना चाहूंगा कि अगर दफा १०७ के अन्दर हम लोगों को बाइंड डाउन किया जाता है तो क्या यह उस का बेजा इस्तेमाल नहीं करना है ? मुझे तो जब कुछ माननीय सदस्य यहां पर खड़े हो कर बड़े जोर से कहते हैं कि दफा १०७ का रहना बहुत जरूरी है तो बड़ा आश्चर्य और हैरानी होती है । मैं तो यह मानता हूं कि जो दफा मैजिस्ट्रेट को इस बात का हक देती है कि वह बिना किसी आब्जैक्टिव टैस्ट के उस का धड़ल्ले से इस्तेमाल करे और जिस में कि मैजिस्ट्रेट को विहिम्बकल पावर्स दे दी गई हैं और जिस से कि वह उस का नाजायज तौर पर इस्तेमाल कर सकता हो, उस दफा १०७ को एक मिनट के लिये भी कानून की किताब में रहने का अधिकार नहीं होना चाहिये । इस दफा १०७ के मातहत मैं आप को बतलाना चाहता हूं कि जिस तरह गरीब किसानों को हैरेज किया जाता है । उन को ३०, ३० और ४०, ४० मील की दूरी से हेडक्वार्टर पर सुनवाई के लिये तलब किया जाता है और दिन भर के बाद शाम को कह दिया जाता है कि तुम्हारे केस में तारीख पड़ गई अब फलां तारीख को फिर हाजिर होना और इस तरह से उन बेचारों की यह मैजिस्ट्रेट्स ४०, ४० और ५०, ५० पेशी लगाते हैं । किस्सा मुख्तसर यह कि उन को बहुत परेशान किया जाता है और मैजिस्ट्रेट्स लोग कहते हैं कि यह दफा १०७ है ही इसलिये कि खूब लोगों को परेशान करो और खूब तारीखें दो और इस तरह परेशान हो कर वे लोग अपने आप बैठ जायेंगे । मैं कहना चाहता हूं कि आज पुलिस को जो आप ने अधिकार दे रक्खा है, वह उस अधिकार का नाजायज तौर पर इस्तेमाल करती है और छोटे छोटे मामलों में जिन में कि उस को दफा १०७ की रिपोर्ट नहीं करनी चाहिये, सिर्फ इस वजह से कि वह किसी से नाखुश है नाराज है इसलिये उस के खिलाफ १०७ में रिपोर्ट कर देती है । आज सारे उत्तर प्रदेश के गांवों में दफा १०७ का नाजायज इस्तेमाल हो रहा है और उस को देखने वाला और रोकने वाला कोई नहीं है । इस सिलसिले में मैं यह कहना चाहता हूं कि उत्तर प्रदेश की जो मौजूदा सरकार है उस ने तो हर तरीके के नियमों का उल्लंघन किया है । जो मौजूदा उत्तर प्रदेश के पुलिस मंत्री महोदय हैं अब उन के बारे में मैं क्या कहूं और दूसरे वे इस सदन के अन्दर मौजूद भी नहीं हैं । उन के सम्बन्ध में तो बहुत कुछ बातें उत्तर प्रदेश की विधान सभा में उठ खड़ी हुई हैं । अब मौजूदा सरकार उस की जांच भी नहीं कराना चाहती । खैर वह न कराये लेकिन मैं यह कहना चाहता हूं कि उत्तर प्रदेश की जैसी वर्तमान हालत है और लॉ एंड आर्डर की जैसी हालत है उस में जिस नाजायज तरीके से विरोधी दलों को दबाने के लिये

[श्री प्रा० ना० सिंह]

और उन को कुचलने के लिये इन दफाओं का इस्तैमाल किया जा रहा है उस की कोई इन्तिहा नहीं हो सकती ।

इसी के साथ मैं दफा १०९ की जो शब्दावली है उस की ओर सदन का ध्यान दिलाना चाहता हू जिस में दर्ज है कि अगर किसी शख्स का कोई जरिया माश मालूम न होता हो तो उस को दफा १०९ के मातहत गिरफ्तार कर के बन्द किया जा सकता है । अब आप समझ सकते है कि भारत जैसे गरीब देश में जिस की कि ४० करोड की आबादी में से करीब ७ करोड लोग ऐसे अवश्य होगे जिन को कि काम नहीं के बराबर होग और जिन का कि खाने पीने का और जरिया माश नहीं के बराबर होगा, तो ऐसे देश के अन्दर पुलिस को १०७, १०९ और ११७ के असीमित अधिकार देना चाहते है कि वह जिसे भी चाहे १०९ के अन्दर गिरफ्तार कर ले इस तरह के असीमित अधिकार आप के लिये पुलिस को देना कहा तक उचित होगा ? हम को तो आजादी की लडाई के जमाने में भी जेल में रहने का मौका मिला और स्वाधीन भारत में भी जेल में रहने का मौका मिला और मैं बिला शक कह सकता हू कि उस जमाने की १०९ दफा में और आज जिस तरह से १०९ दफा का इस्तैमाल किया जा रहा है, उस में जमीन आस्मान का फर्क दिखाई देता है । हम देखते है कि दफा १०९ में कैसे लोगों को पकडा जाता है और जाहिर है कि वे गरीब लोग कहा से साल भर का मुचलका दें । उन के पास जीविका कमाने का कोई साधन नहीं है और उन को जीविका चलाने के लिये कुछ काम धंधा दिया जाय, यह तो आप करेंगे नहीं लेकिन चूंकि किसी के पास काम धंधा नहीं इसलिये उसे दफा १०९ में बन्द कर दिया । अगर पुलिस दारोगा किसी गरीब आदमी से नाराज हो गया तो उसे उठा कर १०९ में बन्द कर दिया । दफा १०९ के अन्दर जेल में जाने के बाद वह बेचारे गरीब और सीधे सादे लोग जब वहा से बाहर निकलते है तो अभियोग और जुर्म करना सीख कर बाहर निकलते है । यह याद रखने की बात है कि जेल जाते समय वह बिल्कुल सीधे सादे और निर्दोष होते है, उन के पास जीविका कमाने का साधन नहीं होता और जाहिर है कि अगर उन के लिये कुछ काम दिया जाये तो वह मेहनत कर के अपनी जीविका कमाना चाहते है, ऐसे निर्दोष और सीधे सादे व्यक्ति जेल में रह कर अभियोग सीख लेते है और बाहर एक मुजरिम की शकल में निकलते है । दफा १०९ का इतना बुरा इस्तैमाल हो रहा है जिस की कि कोई इन्तिहा नहीं । मैं समझता हू कि यह १०७, १०९, ११० और ११७ दफाये, हमारे संविधान के जो मौलिक अधिकारों की मशा है, उन मौलिक अधिकारों पर हमला करने की दफाये है उन पर चोट पहुचाने वाली दफाये है और जिन के कि कारण आज हजारों लोगों पर जुल्म हो रहा है और उसी के साथ साथ मौजूदा सरकारी पार्टी द्वारा इस देश की विरोधी राजनीतिक पार्टियों के हक भी छीने जा रहे है । इसलिये मैं यह कहना चाहता हू कि दफा १०७, १०९ और ११० के इस्तैमाल पर सोच विचार होना चाहिये और फौजदारी के विधान से इन दफाओं को निकाल देना चाहिये । मैं उम्मीद करता हू कि जब माननीय मंत्री जवाब देंगे तो वे इस बात को बतलायेंगे कि राजनैतिक आन्दोलनों के दरमियान में इधर दो सालों के बीच में कितने हजार लोगों पर इस दफा १०७ का इस्तैमाल हुआ चाहे वे उत्तर प्रदेश के हों चाहे वे दूसरे सूबे के हो । अब अगर दफा १०७ के नाजायज इस्तैमाल से हजारों लोगों के मौलिक अधिकारों को छीना हो तो ऐसी हालत में इस दफा १०७ का जारी फौजदारी में एक मिनट के लिये भी रहना मुनासिब नहीं है । इसलिये माननीय अवस्थी जी ने जो यह प्रस्ताव रक्खा है कि दफा १०७, १०८, १०९ और ११७ को फौज-

बारी विधान से निकाल दिया जाय, मैं उस का पूर्णतया समर्थन करता हू और मैं यह उम्मीद करता हूं कि कम से कम लोक-तंत्र और जम्हूरियत के नाम पर कुछ तो मंत्री महोदय के दिल पर असर होगा और इस सम्बन्ध में सोच विचार कर के कोई रास्ता निकालने की कोशिश करेंगे ।

Shri Datar: Sir, this Bill has been brought forward for a two-fold purpose: one is the omission of certain sections from the preventive provisions of the Code of Criminal Procedure, and the other is an explanation to section 161 So far as these two matters are concerned, I should like to deal with them independently or separately because they deal with separate situations

Before I deal with the points raised by hon Members, may I say one thing? The hon. Mover had some months ago brought forward a similar Bill for the purpose of deleting section 144 from the Code of Criminal Procedure At that time he took an extreme stand and he even attacked the Constitution But I am very happy that this time the hon Mover has been showing some regard for the provisions of the Constitution So that itself is a great improvement so far as my hon friend is concerned

श्री जगदीश अवस्थी मैंने कानन की पुस्तक का पन्ना फाडा था, संविधान नहो फाडा था ।

I respect the Constitution as much as the Minister does.

Shri Datar: I would not like to refer to something that happened then If I remember correctly, my hon friend wanted to burn a copy of the Constitution.

Shri Braj Raj Singh: No, no He tore that page from a copy of the Code of Criminal Procedure (*Interruptions*).

Shri Datar:....And the hon. Chairman who was in the Chair.....

Shri Braj Raj Singh: He never said that. (*Interruptions*) You can ask hon. Members.

Shri Datar: And the hon. Chairman who was in the Chair, either the Deputy-Speaker or somebody else. .

Shri Narayanankutty Menon: Nobody said anything about the Constitution

Shri Datar: Let the hon. Member wait What he did say was this. It had to be pointed out to him that he cannot deal with the Constitution in this manner

Shri Jagdish Awasthi: No, no; not the Constitution (*Interruptions*).

Shri Datar: I am very happy this time—I was almost amused to find that this time the hon Mover has started swearing by the Constitution in the sense . (*Interruptions*).

Shri P. N. Singh: On a point of information, Sir When the hon. Member has already given the information to the hon Minister that he did not utter that thing, the hon. Minister is going on repeating and repeating that very thing .....

Shri Datar: I am not repeating anything I would request the hon. Member to wait I am prepared to correct myself if it is wrong. I remember and I speak quite correctly that he was stopped when he made certain references.... (*Interruptions*).

Mr. Chairman: May I just request the hon. Minister not to harp upon that because the hon. Member has said he did not say so

Shri Datar: I am harping on the happy change in the bon Member (*Interruptions*).

Shri Narayanankutty Menon: May I point out, Sir, that to accuse an hon Member .....

Shri Datar: ...And I congratulate him

Shri Narayanankutty Menon: On a point of order, Sir.

Mr. Chairman: I have requested the hon. Minister not to repeat it.

Shri Datar: I am not repeating it

Mr. Chairman: It is a matter of record; it can be controverted

Shri Narayanankutty Menon: I want to raise a point of order whether it is proper for an hon Minister to accuse an hon. Member of this House that he wanted or attempted to burn the Constitution which is an act of treason He must withdraw it (*Interruptions*).

Shri Braj Raj Singh: The records can be referred to and it can be found whether he wanted to burn the Constitution

Mr Chairman: Anyhow the hon Minister has said that if he is wrong he will correct himself

Shri Datar: Naturally, I shall correct myself

Shri Braj Raj Singh: He must withdraw his remarks

Mr Chairman: Anyhow at this moment the record is not before us What he said may be wrong (*Interruptions*)

Shri Datar: If it is wrong I am prepared to correct But I am relying upon my memory

Shri Jagdish Awasthi: I did not say that; I still say I did not say that

Shri Datar: I am not making a further reference But my hon friend made such gestures that the gestures themselves were not proper (*Interruptions*).

Shri Easwara Iyer (Trivandrum): On a point of order, Sir... .

श्री ब्र० ना० सिंह वह संविधान नहीं था, वह तो दफा १४४ का पन्ना था ।

श्री जगदीश अवस्थी . मैं ने कानून की पुस्तक का पन्ना फाड़ा था, संविधान का नहीं यह आप को मालूम होना चाहिये ।

Shri Easwara Iyer: On a point of order, Sir A Member is supposed to take an oath that he will live up to the traditions of the Constitution Now to accuse a Member without any basis is a very serious thing. If he says that if it is incorrect he will withdraw, it is no extenuating circumstance He must produce the record because I was present here when the hon Member said that section 144 should be torn away from the Criminal Procedure Code and not any offence against the Constitution. (*Interruptions*)

Mr. Chairman: Anyhow I have got notice of that. I shall examine the records (*Interruptions*) In the meantime I would request the hon. Minister

Shri Datar: And I am prepared to assure the House that if my memory is wrong (*Interruptions*)

Shri Narayanankutty Menon: Your memory is wrong

Shri Datar: And I remember the hon Member did say that If he has not said that I am prepared to withdraw

Shri Jagdish Awasthi: You are totally wrong (*Interruptions*)

Shri Datar: I shall acept it for the time being.

Shri Jagdish Awasthi: Withdaw it withdraw it.

Shri Datar: I would not like to refer to this particular thing

Mr. Chairman: I have already ruled and asked the hon. Minister not to refer to that.

Shri Keshava (Bangalore City) The records may be sent for and verified.

Shri Jagdish Awasthi: You can consult the record. I am ready to face the consequences Let the records come (*Interruptions*).

Shri Datar: In fact I myself raised the objection.

Shri Narayanankutty Menon: Let the hon Minister continue, in the meantime the records may come If on verification of the records it is found that the allegation the hon. Minister is making, that is, accusing an hon Member of an act of treason, is wrong, certainly, he should unconditionally withdraw what he has said. (*Interruptions*).

Shri Datar: I have stated I am going to be fair I have stated that if what I have said is not correct I shall certainly withdraw it There is no dispute at all (*Interruptions*) But it has to be found out whether it is correct In fact, if I remember aright, I myself raised the objection and it was withheld

Mr. Chairman: When it is a matter of record, that record may be looked into later on But if hon Members insist, I can bring it now if it is just near at hand

Shri Datar: I have no objection.

Mr Chairman: But before that why should there be this altercation, an affirmation from one side and a denial from the other In other words, we are going away from the subject of the debate Let us continue the debate that is before us. In the meantime, I will get the record.

Shri Datar: I am prepared to abide by what you say, so far as this matter is concerned, after going into the record. May I point out that this time the hon. Member has suggested that this amendment is in accordance with the Constitution? The Constitution has given certain Fundamental Rights to the citizens. It is true But they are subject to certain reasonable restrictions which have been made clear It is not good to go on merely saying that there is in this particular case a violation of the Constitution or of the Fundamental Rights. It is entirely wrong I would invite your attention to article 19(2)

> "Nothing in sub-clause (a) of clause (1) shall affect the operation of any existing law, or prevent the State from making any law, in so far as such law imposes reasonable restrictions on the exercise of the right conferred by the said sub-clause in the interest of the security of the State public order "

These are the two expression, among others, which are used—public order and security—and from this point of view we have to adjust the provisions in the Criminal Procedure Code

Shri Braj Raj Singh: May I point out to the hon Minister that article 19(1)(a) relates to the freedom of speech and expression . (*Interruptions*)

Shri Datar: Hon Members dealt with only the so-called action against political prisoners, they did not bring in the other matters at all In fact this extreme position was taken that behind the exercise of such powers, there is a political view May I correct the hon Member so far as this view is concerned? In the Criminal Procedure Code we have two types of provisions One deals with the actual commission of the offence Thereafter, the man has to be proceeded against, either punished or if he is not guilty, he has to be acquitted These are the sections which deal with the actual commission of offences But there are certain cases where prevention is far better and more effective than cure and therefore, action has to be taken so far as three matters are concerned . (*Interruptions*) Let the hon. Members wait. I did not interfere in any manner with them when they spoke The first point is the mainten-

[Shri Datar]

ance of law and order. Let not that matter be dealt with in a light manner Unless we have absolute peace, unless order has properly kept, unless laws are properly respected, there would be no society at all and it would be very difficult to carry on the work of administration or even our private life My hon friend was perfectly right in saying that he is entitled to certain facilities as a citizen of India We have to allow the exercise of private rights, they are allowed in a peaceful manner without interruption and without obstruction from certain other persons who are unsocially minded Therefore, public tranquillity has to be maintained at all costs Secondly breach of the peace has to be avoided

And, lastly, may I point out . (*Interruptions*) I am not yielding I shall complete my arguments I have heard the hon Member intently

So far as the third is concerned, as I have pointed out, there are wrongdoers who have to be checked even before they commit the offences, and the opportunities have to be taken away from them That is the reason why in these sections prevention is more important than a subsequent cure, or what may be called a post mortem dealing with the particular matter. This is the object for which the preventive section has been in the Criminal Procedure Code for long After the Constitution was passed and it came into force—it is now more than nine years—the propriety, the legality or the constitutionality of these sections has not been challenged in any court High Court or Supreme Court Under these circumstances we have to take into account the facts as they are.

I can understand the argument that in some cases dealing with political matters there are some complaints or grounds for complaint. I am prepared to understand that, and I am prepared to look into them. And we shall request the State Governments to see whether there has been any irregularity. My hon. friends used extreme expressions like 'abuse', 'misuse' and various other expressions. But so far as these things are concerned, let hon. Members understand, as my hon. friend Shri Tangamani pointed out quite rightly, that there are checks and counter-checks But here I shall point out that these are the sections which deal naturally with certain preventive action Now, the preventive action is taken on behalf of the administration, but it is subject to the judicial approval of a magistrate. Let that matter be understood very clearly We do not take away either the liberty or the property of any person, but we place the case before the magistrate And, secondly, there is a regular enquiry It is a judicial proceeding And after the enquiry and after evidence has been taken, you will find that the orders passed in respect of these matters are subject to appeal That matter has been entirely forgotten by hon Members here And then a reference has been made to sessions judge in the other amendment They refer to the district judge in the sense of a sessions judge practically That is what the hon Member has practically in view. Under these circumstances, before the sessions judge there is an appeal in respect of matters about which action has been taken under section 107, 109 or 110 What more guarantee can there be?

I can understand hon Members saying that they have no faith in the police, but some hon Members were quite fair enough in saying that they have faith in the sessions judge (*Some Hon. Members*: Yes) That is what they have stated, and I am very happy I am grateful to the hon Members for having said so But may I point out that the magistrates are subject, so far as the judicial work is concerned, to the control of the sessions judge?

Shri P. N. Singh: No no. That is not the position.

Shri Datar: So far as judicial control is concerned—I have purposely used the expression, not administrative control, but judicial control—they are subject to the control of the sessions judge, and whenever anything wrong is done, naturally the sessions judge is there May I point out that magistrates also are judicial officers, and whenever anything is done by a magistrate, then surely appeals can lie, revision petitions can lie, even to the High Court also in appropriate cases Therefore, this is a grave and effective safeguard against what is called the abuse of powers

Secondly, my hon friend Shri Tangamani was rather apologetic He said that there are *goonda* , that there are vagabonds May I point out that there have to be certain sections under which action has to be taken against *goondaism* and against vagabondism? If there are, unfortunately, some persons as there are naturally action has to be taken against him It is only for these purposes and I would not deal further with this particular point

But may I say that all this action has to be taken provided the provisions have been satisfied? If the provisions have not been satisfied then it is open to the Magistrate, it is open to the higher judicial authorities, to dismiss the case for a security That point should not be forgotten at all Therefore, that is the greatest security against the abuse of any power so far as the security sections are concerned

My hon friend, Shri Naldurgkar was perfectly right in saying that in one case where action was not taken this omission was felt, in the sense that four murders took place I myself know of a number of cases where immediate action which was necessary was not taken and within a few days a murder or murders have taken place Therefore, let us not, may I point out in all humility to my hon friends, in our anxiety to bring in political considerations, break at the foundations of the law

Criminal law is essential so long as there are people with criminal propensities or with criminal record or antecedents Therefore, it is absolutely essential to take action against such persons even before they have actually carried out their nefarious purpose. In fact, the object is to check, to nip in the bud, whatever otherwise they would have done I would, therefore, submit to my hon friends, that so far as these sections are concerned they are meant for meeting certain very important situations which are otherwise likely to worsen the situation itself

Now I shall deal with the political considerations It was contended by him that in certain cases certain persons were proceeded against and they were not well treated In that case, may I point out that it was open to the persons aggrieved to have gone up to have gone before the Appellate Court before the High Court also And I would invite hon Members to find out in how many percentage of cases an accused has been told

Shri Naravanankutty Menon: Sir, I do not want to interrupt the hon Minister, but I may say that in almost all the cases when security proceedings are taken, warrants are issued and security bonds are executed for one year, the final orders are passed after two or three years You will find that in a majority of cases final orders have been issued after expiry of the period of interim bond

Shri Datar My hon friends are generalising from what I may call, with due deference to all, very scanty material It is quite likely that in a small number of cases, say one in a hundred cases or, perhaps, one in a thousand cases—after all, human nature is there and sometimes we act over zealously—it might have been so The number is very rare because of two circumstances One is that a provision has been made for a judicial interference at higher quarters; and, secondly, may I also tell the hon Member, whenever there are any adverse comments made against the

[Shri Datar]

conduct or omission of a police officer in the course of judicial proceedings, Government do take into account whatever has been stated. They look into the matter, they examine it from all points of view, and when it is found that the conduct of a police officer was not correct then, naturally action is taken against him. Therefore, it is not that Government are anxious to shield all police officers or shield or screen all actions.

Mr. Chairman: Order, order. I think the hon. Minister is likely to take some more time.

Shri Datar: Yes.

Mr. Chairman: Then the Mover will also take some time for his reply. It is already six o'clock now. The hon. Minister may continue on the next appropriate day.

18 hrs.

The Lok Sabha then adjourned till Eleven of the Clock on Monday, August 17, 1959/Sravana 26, 1881 (Saka).

[*Friday, the 14th August, 1959/23rd Sravana, 1881 (Saka)*]

ORAL ANSWERS TO QUESTIONS . . 2379—2416

S.Q. No.	Subject	Columns
434	Export Trade with West Asian Countries. .	2379—81
435	Former French Possessions. . . .	2381—84
436	Central Training Institute for Instructors .	2384-85
437	Institute of Nuclear Research, Hyderabad .	2385-86
438	Diplomatic relations with South Africa . .	2386—89
439	Clinical Thermometer .	2389—91
442	Tanganyika Trade Delegation . . .	2391
443	Export of Indian Cotton textiles . . .	2392—95
444	Export of manganese ore	2395—98
445	Soda Ash Factory . .	2398—2402
446	Works Committees .	2402—05
448	Working Journalists Wage Committee .	2406—10
449	Shifting of I.A.S. Training School to Mussoorie	2410—12
450	Manganese Industry .	2412-13
452	Central Public Works Department in Delhi .	2413-14
453	Coir Industry in Kerala	2414
454	Wage Board for Cement	2414—16

WRITTEN ANSWERS TO QUESTIONS . . 2416—84

S.Q. No.	Subject	Columns
440	Plots sold by Government in 1954 . . .	2416
441	Export of Indian textiles to Iraq . . .	2416-17
447	Trained personnel for industries . .	2417
451	Training in peaceful uses of atomic energy. .	2417-18
455	Utilization of Development Funds . .	2418
456	Institute of Company Secretaries . . .	2418-19
457	Property rights to Scheduled Castes and Backward Classes . .	2419
458	Export quota control of raw goat skins . .	2419-20

WRITTEN ANSWERS TO QUESTIONS—*contd.*

S.Q. No.	Subject	Columns
459	Delegation from Japan on Small and Medium Scale Industries in India . . .	2420
460	Model Rules on Maternity Benefit . .	2420-21
461	Displaced T.B. patients in Tripura . .	2421-22
462	Indo-Pak Trade Agreement . . .	2422
463	International Fair at Chicago . . .	2422-23
464	Maps of India . .	2423
465	Distribution of raw film	2423-24
466	Central and State Governments Establishments Abroad . .	2424-25
467	Shark liver oil . .	2425
468	Textile mills . .	2425-26
469	Indian turned away from U.S.A. beaches . . .	2426
470	Treatment to people of Indian origin in South Africa . .	2427
471	Janata Hotel in Delhi .	2427-28
472	Exports and imports .	2428-29
473	Spun silk mill in Assam	2429
474	Graphite plant . .	2429
475	Manufacture of rolls .	2430
476	Mahatma Gandhi Memorial Hospital, Bombay	2430-31
477	Rebate on handloom cloth . . .	2431
478	Violation of ceasefire line by the Pakistanis .	2431-32
479	Textile industry . .	2432-33
480	Reinforcement of Pakistani Troops on Indo-Pak Border . .	2433-34
481	Madura Spinning Mills	2434-35
482	Forged passports . .	2435
483	Central Public Works Department .	2435-36
484	Power alcohol industry in U.P. . . .	2436
485	Hindu and Sikh Shrines in West Pakistan .	2436-37
486	Trade Centres for Indian handicrafts . .	2437-38
487	Sericulture Research Station at Berhampur	2438

WRITTEN ANSWERS TO QUESTIONS—*contd.*

S.Q. No.	Subject	Columns
488	Financial Assistance to Bhutan	2438–39
489	Rents of lodgings of Central and State Government employees	2439–40
490	Import of raw materials for sports goods	2440
U.S.Q. No.		
805	State Trading Corporation	2441
806	Civil Works in Bombay State	2441
807	Imports through the State Trading Corporation	2441
808	Machinery for Mineral Oil Industry	2441–42
809	Industries (Development and Regulation) Act	2442
810	Khadi and village Industries Board, Bombay	2442-43
811	Trade with Egypt	2443
812	Export of tea	2443-44
813	Import of car spare parts	2444
814	Off-take of cloth	2444 45
815	Indian villages in Pakistan	2445
816	Expenditure on Dalai Lama	2445–46
817	Listing of Dock Workers at Calcutta and Madras	2446–47
818	Occupational hazards in atomic establishments	2447
819	Export of iron ore to Japan	2447-48
820	Applications pending for passports	2448
821	Industrial Development of Bihar	2448
822	Indian Yogis in Russia	2449
823	Bicycle Industry	2449
824	Employment Exchanges	2450
825	Investments in Coffee Plantations	2450-51
826	Housing of Industrial Workers	2451–52
827	Sulphite Cellulose Mill at Mirthal (Punjab)	2452
828	European Common Market	2452–53
829	Study of Small Scale Industries in Japan	2453
830	Export of leather goods	2453–54
831	Loss of man-days	2454
832	Textile industry	2454–55
833	Carbon black	2455
834	Tobacco	2455–56
835	43rd Session of I.L.O.	2456–57
836	Sample count of population	2457
837	Spot verification of claims of displaced persons	2457
838	Employment Exchanges	2457–58
839	Visitors from Pakistan to India and *Vice Versa*	2458
840	Emporia for the sale of handloom and small scale industries products	2458–59
841	Drainage system in Delhi	2459
842	Indians deported from Khulna	2460
843	Allotment of Waqf properties	2460–61
844	Survey of employment opportunities	2461
845	Industries in Bombay	2461–62
846	Indian Children in South Africa	2462–63
847	Hindustan Antibiotics Ltd, Pimpri	2463
848	Tenements in Rajabagicha (Cuttack).	2463–64
849	Export of iron ore	2464
850	Out-posts on Sylhet-Cachar border	2465
851	Coal field Recruiting Organization	2465
852	Statistical Quality Control	2465–66
853	Compensation to displaced persons	2466
854	Nav-Vidhan Audyogik Sahakari Mandal	2466–67
855	Films Division	2467
856	Slum clearance in U.P.	2467
857	National Productivity Council delegations abroad	2468
858	Central Public Works Department	2468
859	Production of fertilizers	2469
860	T.B. Hospital at Hyderabad.	2469

WRITTEN ANSWERS TO QUESTIONS—contd.

U.S.Q. No.	Subject	Columns
861	Allocation to Hyderabad	2470
862	Cement production	2470–71
863	Nepa Newsprint factory	2471
864	Factories Act, 1948	2471
865	Pashmina wool	2472
866	Amenities for Bhusandapur Colony	2472
867	Export of cattle to Pakistan.	2472–73
868	Displaced persons in Tripura	2473
869	Wool tops	2473-74
870	Import quota of Calcium Carbide	2474 /5
871	Expenditure on Second Five Year Plan	2475
872	Compensation for lands owned by Indians in Burma	2475–76
873	Indians in Shanghai	2476
874	Indian delegation sent abroad	2476
875	Production of silk yarn	2476–77
876	Conference of Rehabilitation Ministers	2477–78
877	Training within Industry Scheme	2478
878	Public Sector Industries Conference	2478–79
879	Consulates of India in the Middle East	2479
880	Expenditure on Indian Embassies	2480
881	Import of watches and clocks	2481
882	Nangal Fertilizers and Chemicals Ltd	2481–82
884	Export of zardozi handbags to Czechoslovakia	2482
885	Training of Announcers by the All India Radio	2482–83
886	Arrest of a Pakistani National	2483
887	Muslims from Kashmir for Haj	2483
888	Sikh pilgrims to Pakistan	2483
89	Development Council for Automobiles, ancillary Industries and Transport Vehicle Industries	2484

MOTION FOR ADJOURNMENT . . . . 2484—87

The Speaker withheld his consent to the moving of an adjournment motion given notice of by Sarvashri Atal Bihari Vajpayee and Uttamrao L. Patil regarding the reported statement of the Prime Minister of Ceylon with respect to the Ceylon Police action against Kerala demonstrators on the 10th August, 1959, in the precincts of the Indian High Commission at Colombo.

PAPERS LAID ON THE TABLE . . . 2487–88

(1) A copy of the Annual Report of the Nahan foundry Private Limited for the year 1957-58 along with the Audited Accounts and comments of the Comptroller and Auditor General thereon under sub-section (1) of Section 630 of the Companies Act, 1956.

(2) A copy of each of the certified Accounts of the Coir Board for the years 1955-56 and 1956-57 together with the Audit Reports thereon under-sub-section (4) of Section 17 of the Coir Industry Act 1953

(3) A copy of the Annual Report of the Employees' State Insurance Corporation for the Year, 1958-59, along with the Revised Estimates for 1958-59 and Budget Estimates for 1959-60 under Section 36 of the Employees' State Insurance Act 1948

(4) A copy of the Coal Mines Pithead Bath Rules, 1959, published in Notification No S O. 1711 dated the 1st August, 1959 under sub-section (7) of Section 59 of the Mines Act, 1952.

(5) A copy of Notification No G S R 896 dated the 1st August, 1959, under Sub-section (3) of Section 40 of the Displaced Persons (Compensation and Re-

PAPERS LAID ON THE TABLE—*contd.* COLUMNS

habilitation) Act, 1954 making certain further amendments to the Displaced Persons (Compensation and Rehabilitation) Rules, 1955.

STATEMENT BY MINISTER 2490

The Deputy Minister of Railways (Shri Shahnawaz Khan) made a statement regarding an accident to Kalka-Delhi-Howrah Mail on the 13th August, 1959, near Moghalsarai.

CALLING ATTENTION TO MATTER OF URGENT PUBLIC IMPORTANCE . . . 2490—95

Shri Atal Bihari Vajpayee called the attention of the Minister of Defence to the assistance rendered by the Indian Army to the people of Jammu and Kashmir during the recent floods.

The Minister of Defence (Shri Krishna Menon) made a statement in regard thereto.

MOTION RE: RISE IN THE PRICES OF SUGAR 2496—2584

Shri Khushwaqt Rai moved a motion re: Rise in the prices of sugar. After discussion, the substitute motion moved by Shri Raghunath Singh was adopted.

PRIVATE MEMBERS' BILLS INTRODUCED 2585—88

(1) The Backward Communities (Religious Protection) Bill, 1959, by Shri Prakash Vir Shastri.

(2) The Displaced Persons (Compensation and Rehabilitation) Amendment Bill, 1959, (Amendment of section 24) by Shri Ajit Singh Sarhadi.

(3) The Representation of the People (Amendment) Bill, 1959 (Amendment of sections 81, 82, 86 and 116-A and omission of sections 88 and 89) by Shri Ajit Singh Sarhadi.

(4) The Code of Criminal Procedure (Amendment) Bill, 1959 (Amendment of section 488) by Shri Ajit Singh Sarhadi.

(5) The Undue Delay and Presumption of Corruption Bill, 1959 by Shri Jhulan Sinha.

(6) The Catholic Church Premises and Ecclesiastic Order (Restriction of Political Activity) Bill, 1959 by Shri T.B. Vittal Rao.

(7) The Representation of the People (Amendment) Bill, 1959 (Insertion of new section 7A) by Shri T.B.Vittal Rao.

EXTENSION OF TIME FOR ELICITING OPINIONS ON PRIVATE MEMBER'S BILL . . 2588—89

Sardar Amar Singh Saigal moved that the time appointed for eliciting opinions on the Sikh Gurudwaras Bill, 1958, be further extended up to the 15th February, 1960. The motion was adopted.

MOTION TO CIRCULATE PRIVATE MEMBER'S BILL NEGATIVED . 2589—99

Further discussion on the motion to circulate the Equal Remuneration Bill, 1957 for the purpose of eliciting opinion thereon, moved by Shrimati Renu Chakravartty on 1-5-59 was concluded. The motion was negatived.

PRIVATE MEMBER'S BILL UNDER CONSIDERATION . . . 2599—2658

Shri Jagdish Awasthi moved that the code of Criminal Procedure (Amendment) Bill, 1957 (*omission of section* 107, 109, *and* 110 *and amendment of section* 161) be taken into consideration The discussion was not concluded.

AGENDA FOR MONDAY, AUGUST 17, 1959/SRAVANA 26, 1881 (SAKA)—

Further consideration and passing of the Oil and Natural Gas Commission Bill; consideration of the Resolution re : Proclamation in respect of Kerala and statement re: Supplementary Demands for Grants for 1959-60.